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PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF AUGUSTA MARGARET RIVER

SCHEME NO 2

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PLANNING AND DEVELOPMENT ACT 2005**SHIRE OF AUGUSTA MARGARET RIVER****SCHEME NO 2****PART 1—PRELIMINARY****1. Citation**

This local planning scheme is the Shire of Augusta Margaret River Scheme No 2.

2. Commencement

Under section 87(4) of the Act, this local planning scheme comes into operation on the day on which it is published in the *Gazette*.

3. Scheme revoked

The following local planning scheme is revoked—

Local Planning Scheme No. 1, gazetted on 24 September 2010.

4. Notes do not form part of Scheme

Notes, and instructions printed in italics, do not form part of this Scheme.

Note—

The *Interpretation Act 1984* section 32 makes provision in relation to whether headings form part of the written law.

5. Responsibility for Scheme

The Shire of Augusta Margaret River is the Local Government responsible for the enforcement and implementation of this Scheme and the execution of any works required to be executed under this Scheme.

6. Scheme area

This Scheme applies to the area shown on the Scheme Map.

7. Contents of Scheme

- (1) In addition to the provisions set out in this document (the ***Scheme text***), this Scheme includes the following—
 - (a) the Deemed Provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2) including any supplemental provisions provided for in Schedule A.
 - (b) the Scheme Map (Sheets 1—25);
- (2) This Scheme is to be read in conjunction with any local planning strategy for the Scheme area.

8. Purposes of Scheme

The purposes of this Scheme are to—

- (a) set out the Local Government's planning aims and intentions for the Scheme area; and set aside land as local reserves for public purposes; and
- (b) zone land within the Scheme area for the purposes defined in this Scheme; and
- (c) control and guide development including processes for the preparation of structure plans and local development plans; and
- (d) set out procedures for the assessment and determination of development applications; and
- (e) set out procedures for contributions to be made for the costs of providing infrastructure in connection with development through development contribution plans; and
- (f) make provision for the administration and enforcement of this Scheme; and
- (g) address other matters referred to in Schedule 7 of the Act.

9. Aims of Scheme

The aims of this Scheme are—

- (a) To implement the intentions and desired outcomes of the Local Planning Strategy.
- (b) To coordinate and integrate planning at the local level with planning at regional and state levels.
- (c) To facilitate the effective implementation of the State Planning Framework, including the Leeuwin Naturaliste Ridge Sub Regional Strategy and the Leeuwin Naturaliste Ridge State Planning Policy No. 6.1.
- (d) To support innovative development outcomes that are sustainable and accessible to people of all abilities;
- (e) To promote and facilitate climate change mitigation and adaptation and encourage development outcomes resilient to the impacts of climate change.

- (f) To implement an environment first approach to land use and development and where there is uncertainty, to apply the precautionary principle.
- (g) To ensure, that biodiversity values are protected and, where possible, enhanced and to arrest any further decline in biodiversity by ensuring that future land use and development does not diminish environmental values for present and future generations.
- (h) To regulate development to ensure that it is sensitively located and constructed in a way that maintains the rural and natural landscape and visual qualities of the Scheme Area.
- (i) To provide for the preservation and protection, conservation and enhancement of areas, places and objects of heritage significance.
- (j) To ensure the protection of rural land for agricultural purposes to provide food security, and to only allow non rural uses where they are which are complementary and ancillary.
- (k) To allow for a variety of housing options and lifestyle choices to ensure the availability of housing of all types, sizes and levels of affordability.
- (l) To ensure that new land use and development is consistent with the principles of sustainability.
- (m) To facilitate the provision of community facilities that are accessible and sustainable, commensurate with the needs of the local and broader community.
- (n) To promote development that reduces reliance on motor vehicles and encourages modal shift to pedestrian and cycling.
- (o) To provide sufficient and appropriately zoned land in easily accessible locations to enable economic development and employment opportunities for the local population.
- (p) To provide for an overall pattern of land use and development which will encourage diverse and complimentary land uses within the Towns and Villages, that maintain the sense of place and provides opportunities for a circular economy.
- (q) To promote and facilitate the development of the region as a centre for education, sustainable agriculture, environmentally responsible tourism and small innovative business.

10. Relationship with local laws

Where a provision of this Scheme is inconsistent with a local law, the provision of this Scheme prevails to the extent of the inconsistency.

11. Relationship with other local planning Schemes

There are no other local planning schemes of the Shire of Augusta Margaret River which apply to the Scheme area.

12. Relationship with region planning Scheme

There are no region planning schemes which apply to the Scheme area.

PART 2—RESERVES

13. Regional Reserves

There are no regional reserves in the Scheme area.

14. Local reserves

- (1) In this clause—

Department of Main Roads means the department principally assisting in the administration of the *Main Roads Act 1930*;

Western Australian Road Hierarchy means the document of that name available on the website maintained by the Department of Main Roads.

- (2) Local reserves are shown on the Scheme Map according to the legend on the Scheme Map.
 (3) The objectives of each local reserve are as follows—

Table 1 Reserve objectives

Reserve name	Objectives
Public Open Space	• To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152. • To provide for a range of active and passive recreation uses such as recreation buildings, and courts and associated car parking and drainage.
Environmental Conservation	• To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision. • To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.
State Forest	• To identify areas of State Forest

Reserve name	Objectives
Civic and Community	- To provide for a range of community facilities which are compatible with surrounding development. - To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.
Cultural Facilities	Civic and Community which specifically provide for a range of essential cultural facilities.
Public Purposes	To provide for a range of essential physical and community infrastructure
Education	Public Purposes which specifically provide for a range of essential education facilities.
Emergency Services	Public Purposes which specifically provide for a range of essential emergency services.
Government Services	Public Purposes which specifically provide for a range of government services.
Recreational	Public Purposes which specifically provide for a range of public recreational facilities.
Cemetery	To set aside land required for a cemetery.
Car Park	To set aside land required for a car park.
Drainage/Waterway	To set aside land required for significant waterways and drainage.
Primary Distributor Road	To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
Local Road	To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.
Strategic infrastructure	To set aside land required for port or airport facilities.
Foreshore	- To set aside areas for foreshore reserved abutting a body of water or waterway, particularly those required pursuant to State Planning Policy 2.6 State Coastal Planning Policy and any other Commission policy. - To provide for the protection of natural values, a range of active and passive recreational uses, cultural and community uses, activities promoting community education of the environment and/or uses that are compatible with and/or support the amenity of the reservation.

15. Additional uses for local reserves

There are no additional uses for land in local reserves that apply to this scheme.

PART 3—ZONES AND USE OF LAND

16. Zones

- Zones are shown on the Scheme Map according to the legend on the Scheme Map.
- The objectives of each zone are as follows—

Table 2 Zone objectives

Zone name	Objectives
Urban Development	- To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme. - To provide for a range of residential densities to encourage a variety of residential accommodation. - To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.
Residential	- To provide for a range of housing and a choice of residential densities to meet the needs of all members of the community. - To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. - To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

Zone name	Objectives
Rural Residential	• To provide for lot sizes in the range of 1ha to 4ha. • To provide opportunities for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. • To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Service Commercial	• To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites. • To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.
District Centre	• To provide a community focal point for people, services, employment and leisure that are highly accessible and do not adversely impact on adjoining residential areas. • To provide for district centres to focus on weekly needs and services for a wider district catchment. • To provide a broad range of employment opportunities to encourage diversity within the centre. • To ensure a mix of commercial and residential development, which provides for activity and accessibility at the street level and supports the provision of public transport and pedestrian links. • To provide for a wide range of different types of residential accommodation, including high density residential, to meet the diverse needs of the community.
Neighbourhood Centre	• To provide a variety of retail shopping, commercial and recreational facilities and services that meet the daily needs of the retail catchment area population. • To offer a range of supporting health, welfare and community facilities and services in conjunction with opportunities for medium density living within a walkable distance of the Neighbourhood Centre. • To ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.
Local Centre	• To provide services for the immediate neighbourhoods, that are easily accessible, which do not adversely impact on adjoining residential areas. • To provide for Local Centres to focus on the main daily household shopping and community needs. • To encourage high quality, pedestrian-friendly, street-orientated development. • To provide a focus for medium density housing. • To ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.
Light Industry	• To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial areas. • To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.
Industrial Development	• To designate land for future industrial development. • To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme.

Zone name	Objectives
Tourism	• To provide for a variety of holiday accommodation styles and levels of affordability, associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area. • To ensure an adequate supply of tourism accommodation sufficient to meet anticipated needs taking into account the environmental and infrastructure capacity of the local area. • To allow a limited component of residential development where necessary and appropriate. • To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities. • To protect sites identified as being of strategic tourism importance from alternative land uses.
Priority Agriculture	• To identify land of State, regional or local significance for food production purposes. • To retain priority agricultural land for agricultural purposes. • To limit the introduction of sensitive land uses which may compromise existing, future and potential agricultural production. • To provide for the maintenance or enhancement of specific local rural character. • To protect broad acre agricultural activities such as cropping, and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. • To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and waterway systems from damage. • To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Priority Agriculture zone. • To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.
Environmental Conservation	• To identify land set aside for environmental conservation purposes. • To provide for the preservation, maintenance, restoration or sustainable use of the natural environment.
Special Use	• To facilitate special categories of land uses which do not sit comfortably within any other zone. • To enable the Council to impose specific conditions associated with the special use.

17. Zoning table

The zoning table for this Scheme is as follows—

Table 3—Zoning Table

Use Class	Residential Zones			Commercial Zones				Other Zones					
	Urban Development	Residential	Rural Residential	Service Commercial	District Centre	Neighborhood Centre	Local Centre	Light Industry	Industrial Development	Tourism	Priority Agriculture	Environmental Conservation	Special Use Zone
Residential Uses													
Aged care facility		D	X	X	X	X	X	X		X	X	X	
Caretaker's Dwelling		X	X	D	D	D	D	X		D	X	X	
Grouped Dwellings		D	D	X	X	X	X	X		A	X	X	
Multiple Dwellings		A	X	X	D	D	D	X		A	X	X	
Park Home Park		D	X	X	X	X	X	X		A	X	X	
Residential Building		A	X	X	A	A	A	X		A	X	X	
Single House		P	P	X	X	D	D	X		X	P	P	
Second-hand dwelling		P	P	X	X	D	D	X		X	P	P	
Repurposed dwelling		P	P	X	X	D	D	X		X	P	P	
Ancillary Residential Uses													
Ancillary Dwelling		P	P	X	X	D	D	X		X	P	P	
Home Business		A	A	X	P	P	P	X		A	D	A	
Home Occupation		P	P	X	P	P	P	X		A	P	D	
Home Office		P	P	X	P	P	P	X		P	P	P	
Home Store		X	X	X	X	D	D	X		X	X	X	
Tourism Uses													
Camping Ground		X	X	X	X	X	X	X		P	A	A	
Caravan Park		X	X	X	X	X	X	X		D	A	X	
Hosted short-term rental accommodation		P	P	X	P	P	P	X		P	P	P	
Tourist and visitor accommodation		X	X	X	D	D	A	X		D	A	A	
Unhosted short-term rental accommodation		A	A	X	A	A	A	X		A	A	A	
Licensed Premises													
Brewery		X	X	A	A	A	A	A		A	A	X	
Hotel		X	X	X	D	D	A	X		A	X	X	
Liquor Store—Small		X	X	D	P	P	P	X		A	X	X	
Liquor Store—Large		X	X	X	X	X	X	X		X	X	X	
Restaurant/Cafe		X	X	A	P	P	P	X		D	A	X	
Night Club		X	X	X	A	X	X	X		X	X	X	
Small Bar		X	X	D	P	P	P	X		A	X	X	
Tavern		X	X	X	D	D	A	X		A	X	X	
Winery		X	X	A	A	A	A	D		A	A	X	

Use Class	Residential Zones			Commercial Zones				Other Zones					
	Urban Development	Residential	Rural Residential	Service Commercial	District Centre	Neighborhood Centre	Local Centre	Light Industry	Industrial Development	Tourism	Priority Agriculture	Environmental Conservation	Special Use Zone
Rural Uses													
Abattoir		X	X	X	X	X	X	A		X	A	X	
Animal Establishment		X	X	X	X	X	X	X		X	A	X	
Animal Husbandry—Intensive		X	X	X	X	X	X	X		X	D	X	
Agriculture—Extensive		X	A	X	X	X	X	X		A	P	A	
Agriculture—Intensive		X	A	X	X	X	X	X		A	P	A	
Industry—Primary Production		X	X	D	X	A	X	D		X	D	X	
Rural Home Business		X	X	X	X	X	X	X		A	P	D	
Rural Pursuit/Hobby Farm		X	A	X	X	X	X	X		A	P	D	
Rural Produce Store		X	A	X	X	X	X	X		D	D	X	
Tree Farm		X	X	X	X	X	X	X		X	D	X	
Veterinary Centre		X	X	D	D	D	D	D		X	D	X	
Workforce Accommodation		X	X	X	X	X	X	X		X	A	X	
Community Uses													
Art Gallery		X	X	A	P	P	P	A		D	A	X	
Child Care Premises		A	A	D	D	D	D	X		A	X	X	
Cinema/theatre		X	X	D	D	D	D	X		X	X	X	
Civic Use		A	X	A	D	D	D	X		A	X	X	
Club Premises		X	X	D	D	D	D	A		A	X	X	
Community Purpose		A	X	D	D	D	D	D		D	X	X	
Corrective Institution		X	X	X	X	X	X	X		X	X	X	
Educational Establishment		X	X	A	A	A	A	D		A	X	X	
Exhibition Centre		X	X	D	D	D	A	D		D	A	X	
Family Day Care		D	D	D	D	D	D	X		X	D	A	
Hospital		X	X	X	A	X	X	X		X	X	X	
Marina		X	X	X	X	X	X	X		X	X	X	
Marine Filling Station		X	X	X	X	X	X	X		X	X	X	
Place of Worship		A	X	D	D	D	A	A		A	X	X	
Recreation—Private		A	X	D	D	D	D	X		A	A	A	
Telecommunications Infrastructure		A	A	A	A	A	A	A		A	A	X	
Waste Disposal Facility		X	X	X	X	X	X	A		X	X	X	

18. Interpreting zoning table

- (1) The permissibility of uses of land in the various zones in the Scheme area is determined by cross-reference between the list of use classes on the left hand side of the zoning table and the list of zones at the top of the zoning table.
- (2) The symbols used in the zoning table have the following meanings—
 - P means that the use is permitted if it complies with any relevant development standards and requirements of this Scheme;
 - D means that the use is not permitted unless the Local Government has exercised its discretion by granting development approval;
 - A means that the use is not permitted unless the Local Government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the Deemed Provisions;
 - X means that the use is not permitted by this Scheme.

Notes for this clause—

1. The development approval of the Local Government may be required to carry out works on land in addition to any approval granted for the use of land. In normal circumstances 1 application is made for both the carrying out of works on, and the use of, land.
 2. Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval.
 3. Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the Local Government. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where land is being used for a non-conforming use.
- (3) A specific use class referred to in the zoning table is excluded from any other use class described in more general terms.
 - (4) The Local Government may, in respect of a use that is not specifically referred to in the zoning table and that cannot reasonably be determined as falling within a use class referred to in the zoning table—
 - (a) determine that the use is consistent with the objectives of a particular zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the Local Government; or
 - (b) determine that the use may be consistent with the objectives of a particular zone and give notice under clause 64 of the Deemed Provisions before considering an application for development approval for the use of the land; or
 - (c) determine that the use is not consistent with the objectives of a particular zone and is therefore not permitted in the zone.
 - (5) If a use of land is identified in a zone as being a class P, the Local Government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.
 - (6) If the zoning table does not identify any permissible uses for land in a zone the Local Government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land—
 - (a) a structure plan;
 - (b) a local development plan;

19. Additional uses

- (1) Schedule 1 sets out—
 - (a) classes of use for specified land that are additional to the classes of use that are permissible in the zone in which the land is located; and
 - (b) the conditions that apply to that additional use.
- (2) Despite anything contained in the zoning table, land that is specified in the Table to subclause (1) may be used for the additional class of use set out in respect of that land subject to the conditions that apply to that use.

20. Restricted uses

- (1) Schedule 2 sets out—
 - (a) restricted classes of use for specified land that apply instead of the classes of use that are permissible in the zone in which the land is located; and
 - (b) the conditions that apply to that restricted use.
- (2) Despite anything contained in the zoning table, land that is specified in the Table to subclause (1) may be used only for the restricted class of use set out in respect of that land subject to the conditions that apply to that use.

21. Special use zones

- (1) Schedule 3 sets out—
 - (a) special use zones for specified land that are in addition to the zones in the zoning table; and
 - (b) the classes of special use that are permissible in that zone; and
 - (c) the conditions that apply in respect of the special uses
- (2) A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use.

Note—

Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.

22. Non-conforming uses

- (1) Unless specifically provided, this Scheme does not prevent—
 - (a) the continued use of any land, or any structure or building on land, for the purpose for which it was being lawfully used immediately before the commencement of this Scheme; or
 - (b) the carrying out of development on land if—
 - (i) before the commencement of this Scheme, the development was lawfully approved; and
 - (ii) the approval has not expired or been cancelled.
- (2) Subclause (1) does not apply if—
 - (a) the non-conforming use of the land is discontinued; and
 - (b) a period of 6 months, or a longer period approved by the Local Government, has elapsed since the discontinuance of the non-conforming use.
- (3) Subclause (1) does not apply in respect of a non-conforming use of land if, under Part 11 of the Act, the Local Government—
 - (a) purchases the land; or
 - (b) pays compensation to the owner of the land in relation to the non-conforming use.

23. Changes to non-conforming use

- (1) A person must not, without development approval—
 - (a) alter or extend a non-conforming use of land; or
 - (b) erect, alter or extend a building used for, or in conjunction with, a non-conforming use; or
 - (c) repair, rebuild, alter or extend a building used for a non-conforming use that is destroyed to the extent of 75% or more of its value; or
 - (d) change the use of land from a non-conforming use to another use that is not permitted by the Scheme.
- (2) An application for development approval for the purposes of this clause must be advertised in accordance with clause 64 of the Deemed Provisions.
- (3) A Local Government may only grant development approval for a change of use of land referred to in subclause (1)(d) if, in the opinion of the local government, the proposed use—
 - (a) is less detrimental to the amenity of the locality than the existing non-conforming use; and
 - (b) is closer to the intended purpose of the zone in which the land is situated.

24. Register of non-conforming uses

- (1) The Local Government may prepare a register of land within the Scheme area that is being used for a non-conforming use.
- (2) A register prepared by the Local Government must set out the following—
 - (a) a description of each area of land that is being used for a non-conforming use;
 - (b) a description of any building on the land;
 - (c) a description of the non-conforming use;
 - (d) the date on which any discontinuance of the non-conforming use is noted.
- (3) If the Local Government prepares a register under subclause (1) the Local Government—
 - (a) must ensure that the register is kept up-to-date; and
 - (b) must ensure that an up-to-date copy of the register is published in accordance with clause 87 of the deemed provisions.
- (3A) Subclause (3)(b) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.
- (4) An entry in the register in relation to land that is being used for a non-conforming use is evidence of the matters set out in the entry, unless the contrary is proved.

PART 4—GENERAL DEVELOPMENT REQUIREMENTS**25. R-Codes**

- (1) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
- (2) The Local Government must ensure that the R-Codes are published in accordance with clause 87 of the deemed provisions.
- (2A) Subclause (2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.
- (3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- (4) The R-Codes apply to an area if—
 - (a) the area has a coding number superimposed on it in accordance with subclause (3); or
 - (b) a provision of this Scheme provides that the R-Codes apply to the area.

26. Modification of R-Codes

- (1) The following variations and exclusions to the Residential Design Codes shall apply—
 - (a) Residential building heights shall be in accordance with Schedule 7, clause 7.
 - (b) The R-Codes are varied to the extent set out at Schedule 7, clause 32(2) for residential development within areas of the Residential Zone coded R5 or less.
 - (c) The R-Codes are varied to the extent set out in SCA2 at clause 36 (Table 5) applicable to any residential development on Molloy Island.
 - (d) The R-Codes are varied to the extent set out in SCA 4 at clause 36 (Table 5) applicable to grouped and multiple dwellings in Backyard Infill.
 - (e) Residential Development of No. 1—31 Elizabeth Street, Margaret River and No. 270—302 Railway Terrace, Margaret River shall comply with the requirements for such development set out at Schedule 1—A40.

[27, 28. Deleted: SL 2024/25 r. 50.]

29. Other planning codes to be read as part of Scheme

There are no other planning codes that are to be read as part of the Scheme.

30. Modification of planning codes

There are no modifications to a planning code that under clause 29 is to be read as part of the Scheme.

31. Environmental conditions

There are no environmental conditions imposed under the *Environmental Protection Act 1986* that apply to this Scheme.

32. Additional site and development requirements

- (1) Table 4 and Schedules 4-7 set out requirements relating to development upon individual lots or precincts that are additional to those set out in the R-Codes, activity centre plans, local development plans, State or local planning policies.

Table 4

Additional requirements that apply to land in Scheme area

No. 1	Description of land	Requirement
ASR1	As shown on the Scheme maps (Principal Ridge Protection Area in State Planning Policy 6.1).	1. Where State Planning Policy 6.1 applies, subdivision shall be considered in accordance with the requirements of the policy, in particular, but not limited to, the requirements of the Principal Ridge Protection Area. 2. Notwithstanding the Zoning Table, Agriculture—extensive and Agriculture—Intensive will not be supported by the Local Government. 3. There is a general presumption against the clearing of remnant vegetation other than for approved building envelopes, access and services. 4. The subdivision of land within the Principal Ridge Protection Area will only be supported by the Local Government where remnant vegetation is retained, and any vegetation clearing is avoided or minimised. As such, in considering subdivision of land within this area, the Local Government will require it to be demonstrated that future development and any associated requirements regarding bushfire management, utility services and access will be located on cleared land. Where insufficient cleared land exists, clearing of remnant

No. 1	Description of land	Requirement
		vegetation will only be considered where it is justified and minimised through such measures as, but not limited to, small building envelopes, clustering of development, and appropriate utility service and access alignments. Where clearing of remnant vegetation is proposed, an application for subdivision approval should be accompanied by a vegetation, flora and fauna study to demonstrate that the proposed clearing minimises environmental impacts. 5. Notwithstanding that Low Impact Tourist Development may be permitted, no such development will be permitted where a subdivision incentive under State Planning Policy 6.1 has been obtained.
ASR2	As shown on the Scheme maps (Ridge Landscape Amenity Area in State Planning Policy 6.1).	1. Where State Planning Policy 6.1 applies, subdivision shall be considered in accordance with the requirements of the policy, in particular, but not limited to, the requirements of the Ridge Landscape Amenity Area. 2. There is a general presumption against the clearing of remnant vegetation other than for approved building envelopes, access and services. 3. The subdivision of land within the Ridge Landscape Amenity Area will only be supported by the Local Government where remnant vegetation is retained, and any vegetation clearing is avoided or minimised. As such, in considering subdivision of land within this area, the Local Government will require it to be demonstrated that future development and any associated requirements regarding bushfire management, utility services and access will be located on cleared land. Where insufficient cleared land exists, clearing of remnant vegetation will only be considered where it is justified and minimised through such measures as, but not limited to, small building envelopes, clustering of development, and appropriate utility service and access alignments. Where clearing of remnant vegetation is proposed, an application for subdivision approval should be accompanied by a vegetation, flora and fauna study to demonstrate that the proposed clearing minimises environmental impacts. 4. Notwithstanding that Low Impact Tourist Development may be permitted, no such development will be permitted where a subdivision incentive under State Planning Policy 6.1 has been obtained.
ASR3	As shown on the Scheme maps (Rural Conservation Area A in the Augusta Walpole Coastal Strategy (AWCS)).	1. Subdivision and development shall be considered in accordance with the subdivision and development requirements of the AWCS, including but not limited to the following— - Subdivision of lots equal to or greater than 160ha, consideration of a minimum lot size of 40ha with an average of 80ha; - For lots abutting the coast that are 160ha and below, consideration of subdivision into 2 lots of approximately equal size where adequate foreshore reserve is ceded free of cost;

No. 1	Description of land	Requirement
		c. Prior to consideration of any subdivision of the subject land, a structure plan is to be prepared and approved which addresses the matters set out at section 6.6 of the AWCS to the satisfaction of the Local Government and the WAPC; d. Any proposed development is to be informed by an approved local development plan which addresses the matters set out at section 6.6 of the AWCS to the satisfaction of the Local Government.
ASR4	As shown on the Scheme maps (Rural Conservation Area B in the Augusta Walpole Coastal Strategy (AWCS)).	1. Subdivision and development shall be considered in accordance with the subdivision and development requirements of the AWCS, including but not limited to the following— (a) Subdivision of lots creating a minimum lot size of 40ha; (b) Prior to consideration of any subdivision of the subject land, a structure plan is to be prepared and approved which addresses the matters set out at section 6.6 of the AWCS to the satisfaction of the Local Government; (c) Any proposed development is to be informed by an approved local development plan which addresses the matters set out at section 6.6 of the AWCS to the satisfaction of the Local Government.

- (2) To the extent that a requirement referred to in subclause (1) is inconsistent with a requirement in the R-Codes, an activity centre plan, a local development plan, State or local planning policies the requirement referred to in subclause (1) prevails.

33. Additional site and development requirements for areas covered by structure plan, activity centre plan or local development plan

Table 5 sets out requirements relating to development included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

Table 5

Additional site and development requirements for areas covered by structure plan, activity centre plan or local development plan

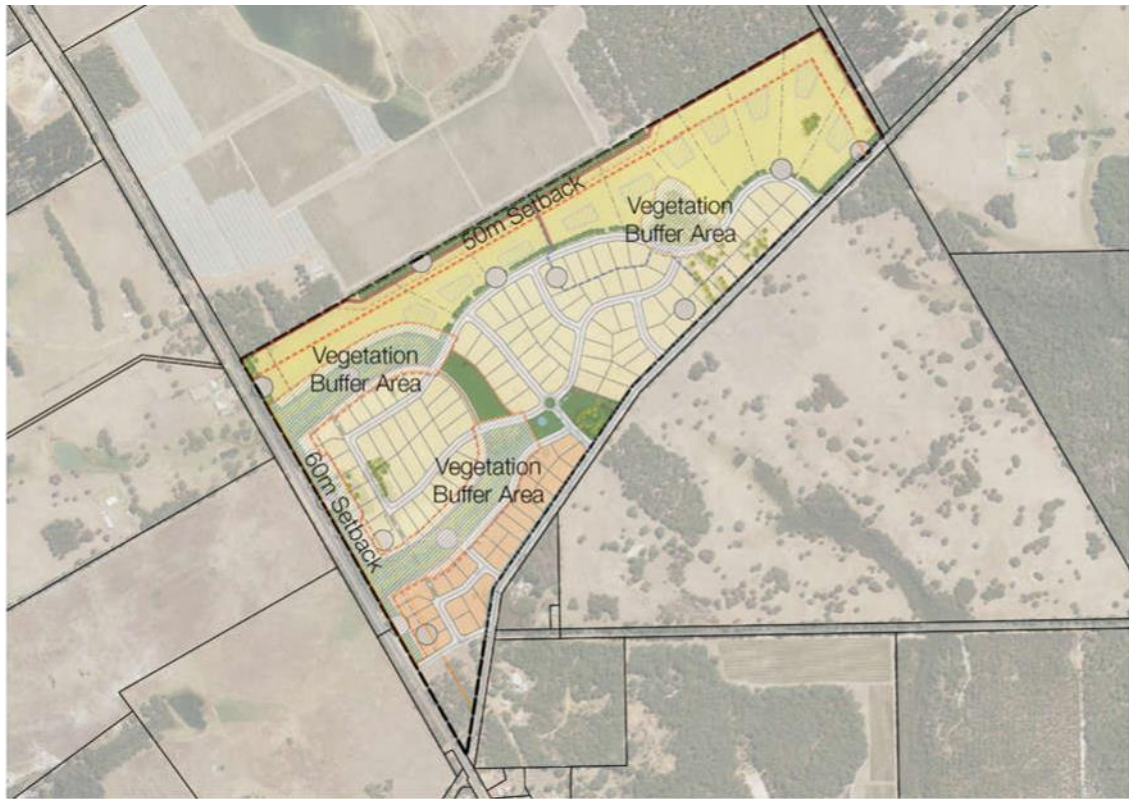
Ref.	Site Details	Requirements
ADS1	Parent Lot 1032 Redgate Road, Witchcliffe 'Reserve on Redgate'	See Development Requirements for each site which follow:
ADS2	Parent Lot 1017, Redgate Road, Witchcliffe	
ADS3	Parent Lot 1 Kudardup Road, Kudardup	
ADS4	Parent Lot 9504 Waverley Road & 9506 Palmer Road, Cowaramup	
ADS5	Lot 104 Ellen Brook Road, Cowaramup	
ADS6	Lot 410 Caves Road, Margaret River	
ADS7	Lots 1-21, Offshore Crescent, Margaret River	
ADS8	Lot 9000, Brockman Road, Cowaramup	
ADS9	Gnarabup	
ADS10	Witchcliffe Ecovillage	
ADS11	38 (Lot 102) Moodjar Court, Karridale	

ADS1—Parent Lot 1032 Redgate Road, Witchcliffe ‘Reserve on Redgate’ Plan**Additional Site and Development Standards**

1. Single Houses shall adhere to the rear setbacks depicted in the above plan (60 & 80m);
2. Other structures/buildings that do not provide rainwater catchment from roof runoff for potable water supplies can be located within the rear setback area up the 30m landscape buffer, provided BAL setback requirements are observed.
3. Front and secondary street setbacks for R5 coded lots fronting north south aligned road abutting Reserve 29166 shall be in accordance with the Residential Design Codes.
4. No development is permitted within the landscape buffer depicted in the above plan;
5. The construction of dwellings that adjoin the southern and western boundaries within the structure plan area are required to meet the endorsed ‘Quiet Building’ design guidelines prepared for these areas.
6. All dwellings are to make provision for the catchment of potable water in accordance with the Scheme.
7. Fencing shall be of an open style (post and wire) on R2.5 and R5 coded lots, and R10 lots that directly abut an R5 lot.

ADS2—Parent Lot 1017, Redgate Road, Witchcliffe Plan**Additional Site and Development Standards**

1. Development including effluent disposal systems is to be located outside of the waterway buffer as shown.
2. Keeping of stock on any lot is prohibited.
3. Any boundary fencing is to be open style post and wire standard, and fencing within bushland and / or within the 30m waterway buffer is not permitted.

ADS3—Parent Lot 1 Kudardup Road, Kudardup Plan**Additional Site and Development Standards**

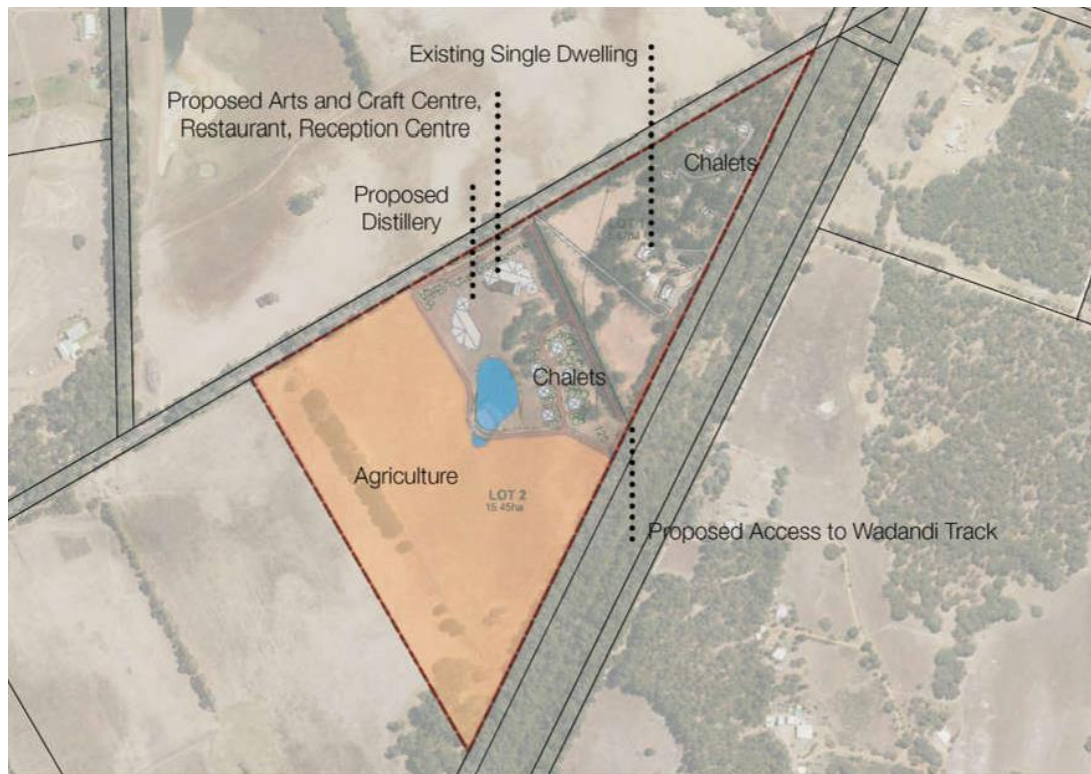
1. Buildings shall adhere to the setbacks depicted in the above plan;
2. No development is permitted within the landscape buffer depicted in the above plan;
3. Home Business is permitted to be carried out ancillary to an existing dwelling in a separate building.
4. Within the Residential R10 zone the following uses are permissible as separate buildings ancillary to an existing dwelling—
 - (a) Art Gallery 'A'
 - (b) Consulting Rooms 'A'
5. Within the Residential R10 zone the primary street setback including lots with double frontages is 6.0m.
6. Within the Rural Residential zone, Rural Home Business is permitted as an 'A' use in accordance with the following definition—

Rural Home Business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation—

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 200 m²; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.

ADS4—Parent Lot 9504 Waverley Road & 9506 Palmer Road, Cowaramup Plan**Additional Site and Development Standards**

1. Native vegetation is not to be removed to achieve bushfire hazard setback standards.
2. R-Codes setback variations may apply to Lots identified with a '●' where vegetation protection and bushfire management requirements may dictate development siting requirements.
3. Applicable dwellings are to meet 'quiet house' design criteria as recommended by the Noise Management Plan
4. Dwellings on Lots identified by a '*' symbol on the above plan are to be orientated toward the rear public open space (Lot 2004-Reserve for Recreation & Drainage) while also addressing the primary street frontage (Waverley Road).

ADS5—Lot 104 Ellen Brook Road, Cowaramup Plan**Additional Site and Development Standards**

1. Proposed Lot 1 (as indicated on the Structure Plan) The total number of non-rural permitted uses are limited to a Holiday Accommodation subject to the following limitations;
 - (a) One Caretaker's Dwelling; and
 - (b) Tourist and Visitor Accommodation—Maximum of four (4) chalets.
2. Proposed Lot 2 (as indicated on the Structure Plan) The total number of non-rural permitted uses are limited to—
 - (a) Single House and associated buildings;
 - (b) Brewery (One Distillery);
 - (c) One Art Gallery;
 - (d) One Restaurant;
 - (e) One Reception Centre; and
 - (f) Tourist and Visitor Accommodation consisting of up to six (6) chalets.

Development of the Restaurant, Chalets, Art and Craft Centre and Single House shall only occur after or with the development of the Distillery and/or Reception Centre to ensure that the tourist facilities remain incidental to the tourist attraction on the Site.

3. In considering a proposal for development the following shall be addressed to the satisfaction of the Local Government—

Landscaping and Visual Impact

- (a) A Landscape and Rehabilitation Plan shall be prepared implemented at the time of development that incorporates retention of native vegetation, with appropriate native species known to occur in the local area.

Vegetation Protection

- (b) Preparation and implementation of an approved Black Cockatoo Habitat Assessment to the satisfaction of the Shire of Augusta Margaret River and the Department of Biodiversity, Conservation and Attractions prior to development. Habitat trees are to be identified on a survey plan and used to determine final building layout and design. Dead, standing or fallen timber should not be unnecessarily removed.
- (c) Retention of the existing stand of trees in proximity to the proposed subdivision boundary where practicable.

ADS6—Lot 410 Caves Road, Margaret River Plan**Additional Site and Development Standards****Strata Lots 1-17**

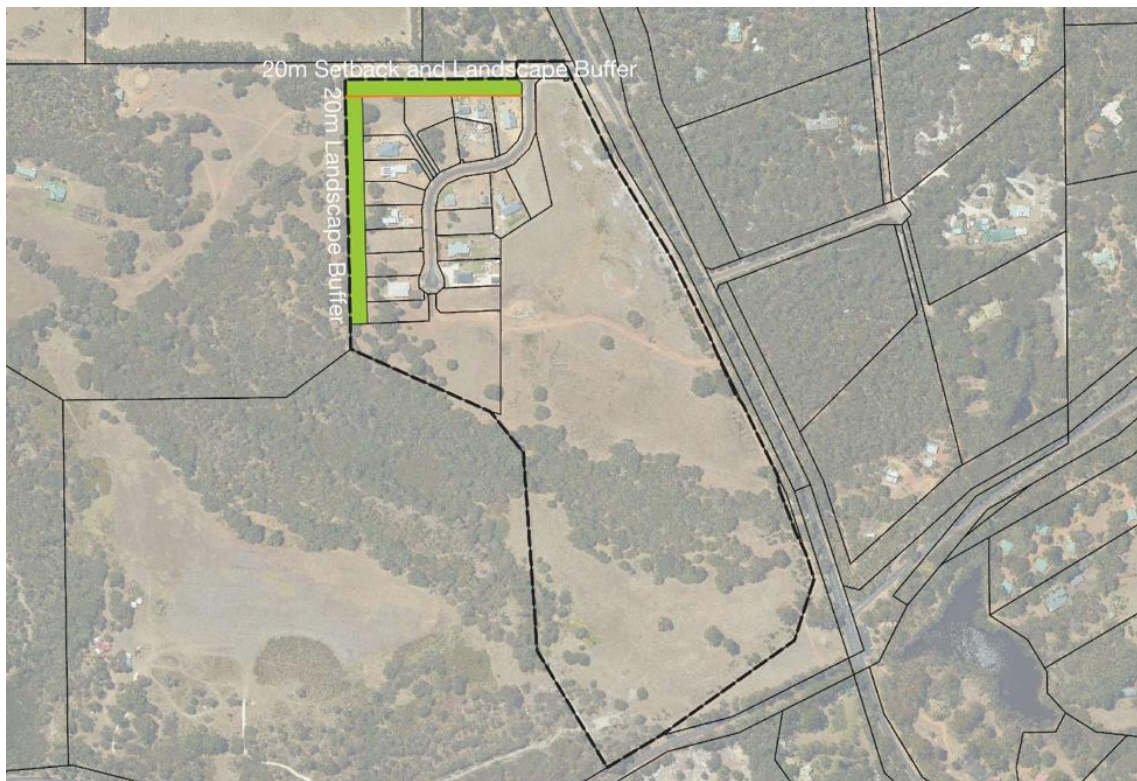
- (a) Development shall be situated within the nominated building envelope.
- (b) Fencing for each allotment shall be within or around the perimeter of the building envelope unless development approval is otherwise granted by the Local Government, and will be of rural character, post and wire construction or similar construction. Any form of solid fencing shall not be permitted.

Strata Lot 18

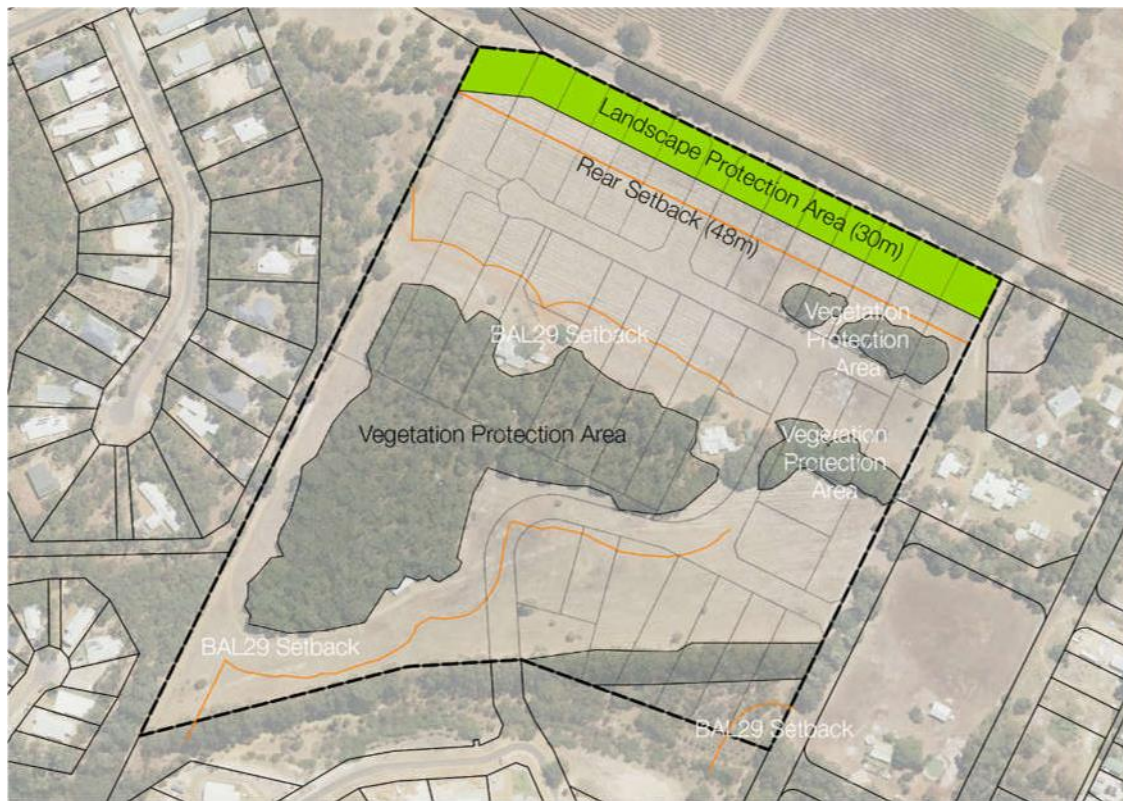
- (a) Buildings shall be setback of 60m from the Caves Road boundary unless determined acceptable with a lesser setback based on a visual impact assessment.
- (b) Agricultural Development shall be setback a minimum of 40 metres from adjoining residential development with a 20 metre wide vegetated buffer within the setback.
- (c) Buildings shall be restricted to a height limit of 8 metres as calculated in accordance with Local Government's Scheme and Policy Requirements.

General provisions

- (a) Development shall incorporate sustainable planning principles including the provision of water conservation initiatives such as rooftop water harvesting and provision of rainwater storage tanks, integration of grey water systems, appropriate solar orientation of dwellings on site for passive heating and cooling, use of solar for power production and water heating and appropriate forms of material of construction.
- (b) A site and soil evaluation shall be undertaken by a suitably qualified consultant in accordance with Australian Standards and Government Guidelines for each new lot, to determine an appropriate onsite domestic waste water treatment system and its location to meet health and environmental objectives to the satisfaction of the Local Government and Department of Health WA.
- (c) Effluent disposal areas shall have a minimum 2 metres vertical separation from highest known ground water level and be set back at least 100 metres from the bank of the Margaret River and 50 metres from any waterway and subsoil drainage system.

ADS7—Lots 1-23, Offshore Crescent, Margaret River Plan**Additional Site and Development Standards**

1. Buildings shall be setback a minimum of 20 metres from the northern boundary (lots 1-6 inclusive).
2. Buildings shall be constructed of non-reflective materials (with the exception of glazed area) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the Local Government and shall be compatible with the rural character of the locality.
3. A minimum of 150 millimeters topsoil shall be stripped from earthworks areas and replaced immediately after construction onto disturbed areas.
4. Landscaping should be with materials that are sympathetic with the surrounding natural landscape.
5. Planting within 40 metres of building to be with fire retardant species.
6. Landscape buffer areas within lots shall be maintained.
7. Fencing for each allotment shall be of rural character, post and wire construction or similar construction. Any form of solid fencing shall not be permitted.
8. The disposal of effluent is to be by Aerobic Treatment Unit(s) or alternative effluent treatment and disposal system(s), to the satisfaction of the Local Government and the Department of Health.
9. Effluent disposal and waste water reuse system design shall incorporate subsurface infiltration and clay bunds or a suitable alternative means for the containment and treatment of effluent waste water, to the satisfaction of the Local Government and the Department of Health.
10. A minimum horizontal separation of 50 metres is to be retained between an effluent waste water disposal site and a perennial waterway, natural wetland or soak, or open drainage channel and the vertical depth to the seasonal or permanent water table from the underside of a waste water disposal system shall be at least 1.2 metres.
11. The keeping of domestic cats by householders in newly created lots is prohibited.
12. For lots 22 and 23, all development including, but not limited to, car parking, shall be contained within the extent of the envelopes.
13. For lot 23, ancillary structures (e.g. shed) to approved Agriculture—Intensive or Rural Pursuit/Hobby Farm shall be setback a minimum of 60 metres from Caves Road.
14. Agricultural Development shall be setback a minimum of 40 metres from adjoining residential development with a minimum 20-metre wide vegetated buffer within the setback.
15. For lots 22 and 23, development standards of the Priority Agriculture Zone shall be applied to the use and development the land outside the designated building envelopes.

ADS8—Lot 9000, Brockman Road, Cowaramup Plan**Additional Site and Development Standards**

1. Fencing shall be to an open style standard for all lots to the satisfaction of the Shire, and in consultation with the Department of Biodiversity, Conservation and Attractions, except where otherwise stipulated in the restrictive covenant and/or approved Bushfire Management Plan in order to manage and protect existing remnant vegetation in perpetuity.
2. The carrying of any livestock is only permitted on the proposed lot identified on the Local Structure Plan with the planning approval of the Local Government and in accordance with the provisions of the local planning scheme. Stock shall be excluded from the Landscape Protection Area within this lot.
3. The minimum rear setback for those lots abutting Brockman Road is to be in accordance with the rear setback line identified on the Structure Plan.
4. Building setbacks on all lots shall be in accordance the corresponding density coding as set out within Table 1 (as amended) of the Residential Design Codes of Western Australia (R-Codes) unless otherwise varied by the setback requirements set out within the approved Bushfire Management Plan that applies to all lots within the Structure Plan area.
5. Development of lots containing existing dwellings should occur in existing cleared areas to minimise impact to the Landscape Protection Area.
6. Habitable buildings built to a BAL29 standard are to be located no closer to the identified Landscape Protection Area than depicted by the 'BAL29 Fire Buffer' line (use of restrictive covenants pursuant to section 129BA of the Transfer of Land Act 1893 on applicable lots).
7. Fire breaks shall be installed outside the Landscape Protection Area in accordance with the adopted Bushfire Management Plan.
8. Development of habitable buildings is not permitted in the 80m cropping setback area.

ADS9—Gnarabup Plan**Additional Site and Development Standards****Residential Zone Standards**

1. Outbuildings shall be built of a material and colour consistent with the main dwelling and form a unified group with the main dwelling on site.
2. Roof colours shall not use colourbond colours identified as having a solar absorbance rating of Low as classified by the National Construction Code.
3. Fencing is to be of a type, colour and height so as to minimise glare and blend with the natural environment.

Urban Development Zone Standards**(Lots 501—502 and 504 Reef Drive and Lot 503 Seagrass Pace)**

1. Notwithstanding Schedule 7—Clause 7, the height of any building shall be limited as specified on the approved structure plan.
2. All buildings to be located on land with a slope in excess of a gradient of 1:10 shall be of split level or pier construction.
3. Reflective building materials, such as zincalume and light coloured colourbond and light coloured tiled roofs, are prohibited on any dwelling, outbuilding, water tank or any other structure.
4. Roof colours shall be consistent with vegetation colours of the locality to the satisfaction of the Local Government (which is predominantly green).
5. All development shall dispose of stormwater onsite to the satisfaction of the Local Government (unless it is proved to be impracticable as demonstrated by a report prepared by a qualified geotechnical/groundwater engineer) with particular attention given to avoiding erosion or connection of the lot drainage system to the adjoining street.

ADS10—Witchcliffe Eco Village**Additional Site and Development Standards****Objectives**

1. Provide for development incorporating sustainable design features, including renewable power, water self-sufficiency, and integrated gardens for urban food production.
2. Provide for a consistent approach to built form, with residential development forming 'cells', orientated and surveilling central common property, used for food production and community purposes.
3. Provide opportunities for further commercial development through the extension of the Witchcliffe Village Centre, incorporating sustainability measures and a built form and spatial approach that is sympathetic to and integrates with the existing Witchcliffe Village Centre.
4. Maintain a transition between the surrounding agriculture landscape and the development, through larger and less intensively developed land holdings peripheral to the residential areas with the retention of areas of remnant vegetation for conservation purposes.

Development Standards

1. Un-hosted Short Term Rental Accommodation may be considered in the designated 'Un-hosted STRA' area.
2. Development shall be consistent with the established built form of the Ecovillage, including simple pitched roof forms and maintain the established material palette and layout in a manner consistent with the prevailing character of the Ecovillage.

ADS11—38 (Lot 102) Moodjar Court, Karridale**Additional Site and Development Standards**

1. Land use and development shall be generally in accordance with the endorsed Structure Plan.
2. Notwithstanding the Zoning Table and land use definitions within clause 38 of Local Planning Scheme No. 2 the following variations apply to the Structure Plan area, the following uses are 'A'—
 - (a) Industry cottage limited to an Art and Craft Centre;
 - (b) Consulting rooms (1 practitioner only);
 - (c) Child care premises (low key occupancy on Lot 12 as shown on the Structure Plan only);
 - (d) Tourist and Visitor Accommodation in the form a 6-bedroom guesthouse will be considered on Lot 11 as indicated on the Structure Plan.

34. Variations to site and development requirements

- (1) In this clause—
additional site and development requirements means requirements set out in clauses 32 and 33.
- (2) The Local Government may approve an application for a development approval that does not comply with requirements set out in Schedule's 4-7 or an additional site and development requirement.
- (3) An approval under subclause (2) may be unconditional or subject to any conditions the Local Government considers appropriate.
- (4) If the Local Government is of the opinion that the non-compliance with an additional site and development requirement will mean that the development is likely to adversely affect any owners or occupiers in the general locality or in an area adjoining the site of the development the Local Government must—
 - (a) consult the affected owners or occupiers by following one or more of the provisions for advertising applications for development approval under clause 64(4) of the deemed provisions; and
 - (b) have regard to any expressed views prior to making its determination to grant development approval under this clause.
- (5) The Local Government may only approve an application for development approval under this clause if the Local Government is satisfied that—
 - (a) approval of the proposed development would be appropriate having regard to the matters that the Local Government is to have regard to in considering an application for development approval as set out in clause 67(2) of the deemed provisions; and
 - (b) the non-compliance will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

35. Restrictive covenants

- (1) A restrictive covenant affecting land in the Scheme area that would have the effect of limiting the number of residential dwellings which may be constructed on the land is extinguished or varied to the extent that the number of residential dwellings that may be constructed is less than the number that could be constructed on the land under this Scheme.
- (2) If subclause (1) operates to extinguish or vary a restrictive covenant—
 - (a) development approval is required to construct a residential dwelling that would result in the number of residential dwellings on the land exceeding the number that would have been allowed under the restrictive covenant; and
 - (b) the Local Government must not grant development approval for the construction of the residential dwelling unless it gives notice of the application for development approval in accordance with clause 64 of the Deemed Provisions.
- (3) A restrictive covenant affecting land in the Scheme area that would have the effect of imposing development standards at variance with those required by this Scheme are extinguished.

PART 5—SPECIAL CONTROL AREAS**36. Special control areas**

- (1) Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.
- (2) The purpose, objectives and additional provisions that apply to each special control area is set out in the Table.

Table 5
Special control areas in Scheme area

Name of area	Objectives	Additional provisions
Margaret River (Priority 3) Water Catchment Area— (SCA 1)	To apply mechanisms as required to regulate and manage land uses to minimise the risk of pollution within a public drinking water source catchment area	General (a) A copy of the Department of Water and Environmental Regulation Quality Protection Note entitled “Land Use Compatibility in Public Drinking Water Source Areas” (as amended from time to time) shall be kept and made available for public inspection during normal office hours at the offices of the Local Government. (b) Where development is identified as an “incompatible” or “conditional” use in the Department of Water and Environmental Regulation Quality Protection Note referred to at (a), planning approval is required and the Local Government must, within 14 days of the receipt of the application, refer the application to the Department of Water and Environmental Regulation, inviting written comment. (c) Where the Local Government does not receive comments from the Department of Water and Environmental Regulation within 42 days of the referral, the Local Government may determine the application in the absence of such comments. (d) Where a formal submission has been received from the Department of Water and Environmental Regulation in respect of an application for development approval the Local Government shall have regard to that advice when making its decision on that application.
Molloy Island Area— (SCA 2)	To protect the existing natural qualities and amenity of Molloy Island by strict control of all development.	Notwithstanding other provisions of the Scheme, development approval is required in respect of any development on Molloy Island, the surrounding Waterway and Estuaries Reserve and the land area containing the northern ferry terminal. Preservation of natural vegetation (a) The removal of any indigenous tree or clearing of indigenous undergrowth is prohibited, other than for approved fire hazard reduction measures (e.g. firebreaks, building protection zones, hazard separation zones).

Name of area	Objectives	Additional provisions
		(b) Vegetation which is not indigenous to Molloy Island shall not be introduced, with the exception that domestic gardens within the immediate curtilage of a dwelling and as approved by the Local Government, may contain non-invasive non-indigenous species which, in the opinion of the Local Government does not adversely impact upon the integrity of the Islands' indigenous vegetation. (c) Advertising signs are prohibited on Molloy Island except signs listed under the dwellings, home occupation and property transaction categories in Schedule 6 of the Scheme. Application procedure Notwithstanding the procedures for the lodgement and consideration of applications for development approval under this Scheme, the following provisions also apply in respect of proposals for development on the Island— (a) The application shall be submitted to the Local Government with a copy lodged concurrently with the Owners' Association; (b) The Local Government shall consult with the Owners' Association advising that it has received an application and seeking the views and recommendation of the Owners' Association as to the manner in which the application should be determined; (c) In formulating the recommendation referred to in subclause (b), the Owners' Association shall have regard to— (i) the provisions of the Scheme and any applicable local planning policy; (ii) the constitution of the Owners' Association; (iii) the design, siting and external appearance of the building or structure proposed; (iv) the compatibility of the proposal with, and its impact upon the natural, environmental and landscape qualities of Molloy Island; (v) the compatibility of the development with the established pattern of development on Molloy Island; (vi) the suitability of the materials to be used on the external surfaces of the building or structure to blend in with its setting; and (vii) the suitability and relevant licence of any jetty on or adjacent to the site. (d) The Owners' Association shall forward its recommendation to the Local Government within 21 days from the date on which it received a copy of the application in accordance with (a). Where a recommendation is not received within 21 days, the Local Government may determine the application without the recommendation. (e) The Local Government shall have due regard to, but not be bound by, any recommendations of the Owners' Association.

Name of area	Objectives	Additional provisions
		Development in the Residential Zone— (a) development is confined to a Single House and its incidental development; (b) building is prohibited within 15 metres of a road or public right-of-way and within 5 metres of a side boundary, however, the Local Government may vary these distances by up to 30% subject to consultation with adjoining landowners. (c) subdivision of lots will not be supported by the Local Government; (d) boundary fences are prohibited except for the construction of a post and wire fence around a rear courtyard having an area no greater than 10% of the lot and the fence is not visible from any road; and (e) development is prohibited unless arrangements are in place for an effluent disposal system of sufficient capacity to support the proposed development, to the satisfaction of the Local Government. Land use and development within the Parks and Recreation Reserve (a) The Parks and Recreation Reserve of the Island, shall only be used for passive recreation except for low-key, unobtrusive recreation and community facilities approved by the Local Government. Essential Services (a) Essential services for Molloy Island properties are limited by the Scheme and are as follows— (i) underground mains power supply only. Private petrol and diesel driven independent electricity generators, other than for emergency purposes, are prohibited; (ii) renewable energy systems to the satisfaction of the Local Government; and (iii) each new dwelling unit have sufficient water supply in accordance with Schedule 7, clause 23(2). Fire risk management (a) The Owners' Association shall maintain fire- fighting equipment and a reserve water supply, to the satisfaction of Department of Fire and Emergency Services and the Local Government. Vulnerable Land Use Despite anything contained in the zoning table, vulnerable land uses are prohibited owing to the high bushfire risk and limited evacuation options on Molloy Island.
Flinders Bay Heritage Conservation Area—(SCA 3)	To protect and enhance the present townscape qualities of Flinders Bay.	Notwithstanding other provisions of the Scheme, development approval is required in respect of any development within the Flinders Bay Conservation Area with the exception of internal alterations that do not involve structural alterations or removal of original components of a dwelling; (a) In addition to part 8 of the Deemed Provisions, all applications for development approval for development within the Flinders Bay Heritage Conservation Special Control Area, where applicable, shall also be accompanied by the following, as required by the Local Government to assist it in the determination of the application— (i) Where development involves demolition, alterations and additions to

Name of area	Objectives	Additional provisions
		a primary structure on site, a heritage assessment including a heritage impact statement shall be provided. (ii) street elevations drawn to a scale not smaller than 1:100 showing the proposed development and all existing development on each lot adjacent to the land the subject of the application, and drawn as one continuous elevation; (iii) side and rear elevations of the proposed development, drawn to a scale of not smaller than 1:100; (iv) a site plan drawn to a scale of no less than 1:100 accompanied by a further plan of the proposed development site, at the same scale, showing existing and proposed ground levels over the whole of the land subject of the application, and the location, type and height of all existing structures and of all existing vegetation exceeding 2 metres in height, and marking any existing structures and vegetation proposed to be removed; (v) a detailed schedule of all materials to be used on the external surfaces of any building or structure, including their colour and texture; and (vi) any other information which the Local Government considers relevant. (b) Notwithstanding the requirements of Additional Provision (a), the Local Government may exempt an applicant from the need to provide one or more of the plans or documents referred to in that provision.
Backyard Infill (SCA4)	To apply development criteria which differ from those contained in the Residential Design Codes, to allow increased density and diversity of housing stock in defined areas, without substantially altering existing streetscapes and preserving mature vegetation and urban character.	SCA4a—Merchant Street Area Development Requirements (a) Development can be progressed in accordance with the density code applied to the land via the Scheme map and the applicable requirements of the Residential Design Codes OR the following— (b) Where an existing dwelling is retained on a site, the development of Grouped Dwelling(s) and/or Multiple Dwelling(s) on a lot shall comply with the following criteria— (i) Any additional dwelling on a lot where an existing dwelling is retained shall have a maximum floor area of 100m²; (ii) On R5 coded properties within the precinct, the maximum number of additional Grouped Dwelling(s) and/or Multiple Dwelling(s) shall not exceed two. (iii) Site coverage shall not exceed 40% across the overall site, including any structures that are roofed with materials impervious to water; (iv) A maximum of one vehicle parking bay shall be provided for each new dwelling and a maximum of two car bays shall be provided for any existing dwelling on the development site; (v) A minimum 25% of the development site area shall be provided as a deep planting zone, which can be included as part of the open space for the development. Significant trees are to be retained wherever possible. The deep

Name of area	Objectives	Additional provisions
		planting zone can be reduced where a significant tree is retained on the site. Landscaping shall be used to soften the impact of the development and provide shade for occupants. (vi) Side and rear setbacks will be assessed in accordance with tables 2a and 2b of the Residential Design Codes; (vii) Infill development shall not occur forward of the existing dwelling; (viii) Stormwater is to be managed at source to the satisfaction of the Shire. (ix) Connection to a reticulated sewerage system is required. (x) Colocation of crossovers is required in order to retain verge trees and streetscape amenity. (xi) Dwellings are to incorporate sustainable design features aimed at reducing energy and water use and passively heating and cooling. (c) Proposals for development upon vacant sites will be considered where they meet the broad objectives and provisions listed above where relevant.
		Subdivision Requirements (a) The Local Government may support subdivision of the resultant development where— (i) Development on the land has been constructed to plate height in accordance with a Development Approval granted by the Local Government, and the subdivision is consistent with the Development Approval; and (ii) The development can demonstrate compliance with the relevant requirements of the R-Codes, with the exception of site area.
		SAC4b—Valley Road and Stewart Street Area a) Development can be progressed in accordance with the density code applied to the land via the Scheme map and the applicable requirements of the Residential Design Codes OR the following— Development Requirements b) Where an existing dwelling is retained on a site, the development of Grouped Dwelling(s) and/or Multiple Dwelling(s) on a lot shall comply with the following criteria— (i) Any additional dwelling on a lot where an existing dwelling is retained shall have a maximum floor area of 100m²; (ii) Site coverage shall not exceed 40% across the overall site, including any structures that are roofed with water impervious materials; (iii) A maximum of one vehicle parking bay shall be provided for each new dwelling and a maximum of two car bays shall be provided for any existing dwelling on the development site; (iv) A minimum 25% of the development site area shall be provided as a deep planting zone, which can be included as part of the open space for the development. Significant trees are to retained wherever possible. The

Name of area	Objectives	Additional provisions
		deep planting zone can be reduced where a significant tree is retained on the site. Landscaping shall be used to soften the impact of the development and provide shade for occupants. (v) Side and rear setbacks will be assessed in accordance with tables 2a and 2b of the Residential Design Codes; (vi) Infill development shall not occur forward of the existing dwelling; (vii) Stormwater is to be managed at source to the satisfaction of the Shire. (viii) Connection to a reticulated sewerage system is required. (ix) Colocation of crossovers is required in order to retain verge trees and streetscape amenity. (x) Dwellings are to incorporate sustainable design features aimed at reducing energy and water use and passively heating and cooling. (xi) Proposals for development upon vacant sites will be considered where they meet the broad objectives and provisions listed above where relevant. Subdivision Requirements (c) The Local Government may support subdivision of the resultant development where— (i) Development on the land has been constructed to plate height in accordance with a Development Approval granted by the Local Government, and the subdivision is consistent with the Development Approval; and (ii) The development can demonstrate compliance with the relevant requirements of the R-Codes, with the exception of site area.
		SCA4c Le Souef, Elva and Coronation Street Area Development Requirements (a) Development can be progressed in accordance with the density code applied to the land via the Scheme map and the applicable requirements of the Residential Design Codes OR the following— (b) Where an existing dwelling is retained on a site with a minimum area of 1000sqm, or where the development of Grouped Dwelling(s) and/or Multiple Dwelling(s) has not yet occurred, the development of Grouped Dwelling(s) and/or Multiple Dwelling(s) on a lot shall comply with the following criteria— (i) Any additional dwelling on a lot where an existing dwelling is retained shall have a maximum floor area of 100m²; (ii) On R5 coded properties within the precinct, the maximum number of additional Grouped Dwelling(s) and/or Multiple Dwelling(s) shall not exceed two; (iii) Site coverage shall not exceed 40% across the overall site, including any structures that are roofed with water impervious materials; A maximum of one vehicle parking bay shall be provided for each new dwelling and a maximum of two car bays shall be provided for any existing dwelling on the development site;

Name of area	Objectives	Additional provisions
		(iv) A maximum of one vehicle parking bay shall be provided for each new dwelling and a maximum of two car bays shall be provided for any existing dwelling on the development site; (v) A minimum 25% of the development site area shall be provided as a deep planting zone, which can be included as part of the open space for the development. Significant trees are to be retained wherever possible. The deep planting zone can be reduced where a significant tree is retained on the site. Landscaping shall be used to soften the impact of the development and provide shade for occupants. (vi) Side and rear setbacks will be assessed in accordance with tables 2a and 2b of the Residential Design Codes; (vii) Infill development shall not occur forward of the existing dwelling; (viii) Stormwater is to be managed at source to the satisfaction of the Shire. (ix) Connection to a reticulated sewerage system is required. (x) Colocation of crossovers is required in order to retain verge trees and streetscape amenity. (xi) Dwellings are to incorporate sustainable design features aimed at reducing energy and water use and passive heating and cooling. (xii) Proposals for development upon vacant sites will be considered where they meet the broad objectives and provisions listed above where relevant. Subdivision Requirements (c) The Local Government may support subdivision of the resultant development where— (i) Development on the land has been constructed to plate height in accordance with a Development Approval granted by the Local Government, and the subdivision is consistent with the Development Approval; and (ii) The development can demonstrate compliance with the relevant requirements of the R-Codes, with the exception of site area.
Gnarabup Area—SCA 5A (Lot 501—504 Seagrass Place)	To ensure that a Structure Plan is in place which guides future tourist development which sets out limits and controls on the form and scale of development in respect to its height, density and appearance to ensure compatibility with the landscape, amenity and environmental values of the land and the surrounding locality.	1. A Structure Plan is required to be prepared and endorsed prior to development being approved which shall address the following issues— (a) the location, width and standard of proposed roads within the area and their connection with the road network in the locality; (b) the physical, topographical and environmental characteristics of the area leading to the selection of land considered suitable for development and uses appropriate for the area; (c) the extent of clearing which may be necessary to implement the plan; (d) areas that are to be retained for buffer and passive recreation purposes; (e) environmental analysis examining impact on the marine environment and the need for conservation of ecological links between the coastal reserves and the National Park;

Name of area	Objectives	Additional provisions
		(f) geotechnical analysis to determine the existence and impact on caves; (g) coastal management and access plans; (h) broad engineering details demonstrating stabilisation methods, drainage and road construction management, recontouring methods and rehabilitation; (i) analysis of heritage significance; (j) building height analysis to demonstrate the impact of the proposed development on visually prominent features and significant views of the scheme area; (k) details of building and infrastructure construction techniques for high slope areas of greater than 10%; (l) details of fire protection measures including— (i) trafficable fire-break around the external boundary of the development; (ii) fuel reduction programmes; (iii) building protection measures; (iv) provision of strategic emergency water points; (v) expected demands on additional fire protection measures in the adjoining Public Open Space Reserve as a result of the development proposal; (m) details of the likely impact on groundwater quantity and quality from development proposals particularly in respect of any groundwater abstraction proposals to service the development. Such details should also examine impacts on groundwater availability to the existing Prevelly Park settlement; and (n) details of measures to be incorporated in the development to avoid impacts which will result in increased management requirements for the adjoining Parks & Recreation Reserve. 2. Parameters for preparation of the Structure Plan are— (a) The structure plan shall provide for tourist and ancillary development. Tourist development proposals should have due regard for the guidelines of the Environmental Protection Authority and WA Tourism Commission. (b) The structure plan shall show an ultimate development that provides similar tourist opportunities limited to 57 buildings comprising 74 lettable units, a village centre with 16 commercial tenancies and 16 residential units with one caretakers dwelling.
Gnarabup Area—SCA 5B (Lot 783 Wallcliffe Road)	To recognise the capacity of land within the Special Control Area to accommodate tourist development of a special form and character notwithstanding the special landscape and visual amenity attributes of the land.	1. To provide for a form of tourist development on land within the Zone, limited in height and density of building compatible with the landscape, amenity and environmental values of the land. 2. For development requirements refer to Schedule 9.

PART 6—TERMS REFERRED TO IN SCHEME*Division 1—General definitions used in Scheme***37. Terms used**

- (1) If a word or expression used in this Scheme is listed in this clause, its meaning is as follows—

building envelope means the area of land within which all buildings and effluent disposal facilities on a lot must be contained;

building height, in relation to a building—

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above, excluding minor projections as that term is defined in the R-Codes;

cabin means a building that—

- (a) is an individual unit other than a chalet; and
- (b) forms part of—
 - (i) tourist and visitor accommodation; or
 - (ii) a caravan park;and
- (c) if the unit forms part of a caravan park—is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period;

chalet means a building that—

- (a) is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
- (b) forms part of—
 - 1. tourist and visitor accommodation; or
 - 2. a caravan park;and
- (c) if the unit forms part of a caravan park—is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period;

commencement day means the day this Scheme comes into effect under section 87(4) of the Act;

commercial vehicle means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including—

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);

drive-through means premises designed, constructed and/or operated so that food, goods or services may be purchased, provided or exchanged with customers while remaining in their vehicle.

floor area has meaning given in the Building Code;

frontage, in relation to a building—

- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
- (b) if the building is used for purposes other than residential purposes, means the line where a road reserve and the front of a lot meet and, if a lot abuts 2 or more road reserves, the one to which the building or proposed building faces;

incidental use means a use of premises which is consequent on, or naturally attaching, appertaining or relating to, the predominant use;

low impact development means the use and development of land in such a manner that does not detract from the rural and natural amenity of the locality, and includes the following criteria—

- (i) development being located so as to avoid ridge lines, escarpments or visually exposed sites and situated where screening vegetation or land form can be utilised;
- (ii) use and development being sensitively located and designed to minimise impact on vegetation, waterways, soil quality and existing land uses;
- (iii) development being of a scale and nature so as to be self-sustaining on the lot, or demonstrating the ability to provide servicing without significant modifications to existing infrastructure;
- (iv) development that by the nature of its scale, design, colours, materials, landscaping and use, has minimal impact on its site and surrounding areas; and
- (v) where the land use and any development has a minimal off-site consequence.

minerals has the meaning given in the *Mining Act 1978* section 8(1);

- net lettable area** or **nla** means the area of all floors within the internal finished surfaces of permanent walls but does not include the following areas—
- (a) stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
 - (b) lobbies between lifts facing other lifts serving the same floor;
 - (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
 - (d) areas set aside for the provision of facilities or services to the floor or building where those facilities are not for the exclusive use of occupiers of the floor or building;
- non-conforming use** has the meaning given in the *Planning and Development Act 2005* section 172;
- plot ratio** means the ratio of the floor area of a building to an area of land within the boundaries of the lot or lots on which the building is located;
- precinct** means a definable area where particular planning policies, guidelines or standards apply;
- predominant use** means the primary use of premises to which all other uses carried out on the premises are incidental;
- retail** means the sale or hire of goods or services to the public;
- short-term accommodation** means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period;
- wall height**, in relation to a wall of a building—
- (a) if the building is used for residential purposes, has the meaning given in the R-Codes; or
 - (b) if the building is used for purposes other than residential purposes, means the vertical distance from the natural ground level of the boundary of the property that is closest to the wall to the point where the wall meets the roof or parapet;
- wholesale** means the sale of goods or materials to be sold by others.
- (2) A word or expression that is not defined in this Scheme—
- (a) has the meaning it has in the *Planning and Development Act 2005*; or
 - (b) if it is not defined in that Act—has the same meaning as it has in the R-Codes
- Division 2—Land use terms used in Scheme*

38. Land use terms used

If this Scheme refers to a category of land use that is listed in this provision, the meaning of that land use is as follows

- abattoir** means premises used commercially for the slaughtering of animals for the purposes of consumption as food products;
- aged care facility** means a building or group of buildings consisting of either—
- (a) an aged persons' home; or
 - (b) an aged persons' home and aged persons' dwellings,
and which includes buildings or parts of buildings used for communal facilities, food preparation, dining, recreation, laundry or medical care;
- agriculture—extensive** means premises used for the raising of stock or crops including outbuildings and earthworks, but does not include agriculture—intensive or animal husbandry—intensive;
- agriculture—intensive** means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following—
- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
 - (b) the establishment and operation of plant or fruit nurseries;
 - (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
 - (d) aquaculture;
- airfield** means any premises used for purposes relating to aircraft landing, take-off and maintenance and does not include a private airstrip incidental to farming operations;
- amusement parlour** means premises—
- (a) that are open to the public; and
 - (b) that are used predominantly for amusement by means of amusement machines including computers; and
 - (c) where there are 2 or more amusement machines;
- animal establishment** means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry—intensive or veterinary centre;

animal husbandry—intensive means premises used for keeping, rearing or fattening of alpacas, beef and dairy cattle, goats, pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production), sheep or other livestock in feedlots, sheds or rotational pens; but does not include agriculture-extensive.

art gallery means premises—

- (a) that are open to the public; and
- (b) where artworks are displayed for viewing or sale;

betting agency means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*;

brewery means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the *Liquor Control Act 1988*;

bulky goods showroom means premises—

- (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes—
 - (i) automotive parts and accessories;
 - (ii) camping, outdoor and recreation goods;
 - (iii) electric light fittings;
 - (iv) animal supplies including equestrian and pet goods;
 - (v) floor and window coverings;
 - (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
 - (vii) household appliances, electrical goods and home entertainment goods;
 - (viii) party supplies;
 - (ix) office equipment and supplies;
 - (x) babies' and childrens' goods, including play equipment and accessories;
 - (xi) sporting, cycling, leisure, fitness goods and accessories;
 - (xii) swimming pools; or
- (b) used to sell by retail goods and accessories by retail if—
 - (i) a large area is required for the handling, display or storage of the goods; or
 - (ii) vehicular access is required to the premises for the purpose of collection of purchased goods.

camping ground means premises that are a camping ground as defined in the *Caravan Parks and Camping Grounds Act 1995*;

caravan park means premises that are a caravan park as defined in the *Caravan Parks and Camping Grounds Act 1995* section 5(1);

caretaker's dwelling means a dwelling on the same site as a building, operation or plant used for industry, and occupied by a supervisor of that building, operation or plant;

car park means premises used primarily for parking vehicles whether open to the public or not but does not include—

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) any premises in which cars are displayed for sale;

child care premises means premises where—

- (a) an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.

cinema/theatre means premises where the public may view a motion picture theatrical production;

civic use means premises used by a government department, an instrumentality of the State or the Local Government for administrative, recreational or other purposes;

club premises means premises used by a legally constituted club or association or other body of persons united by a common interest;

commercial vehicle parking means premises used for parking of one or 2 commercial vehicles but does not include—

- (a) any part of a public road used for parking or for a taxi rank; or
- (b) parking of commercial vehicles incidental to the predominant use of the land;

community purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;

consulting rooms means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

convenience store means premises—

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and
- (b) operated during hours which include, but may extend beyond, normal trading hours; and
- (c) the floor area of which does not exceed 300 m² net lettable area;

corrective institution means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;

educational establishment means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution;

exhibition centre means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature including a museum;

family day care means premises where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided;

fast food outlet means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten—

- (a) without further preparation; and
- (b) primarily off the premises;

fuel depot means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel but does not include premises used—

- (a) as a service station; or
- (b) for the sale of fuel by retail into a vehicle for use by the vehicle;

funeral parlour means premises used—

- (a) to prepare and store bodies for burial or cremation;
- (b) to conduct funeral services;

garden centre means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens;

home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession—

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50 m²; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

home occupation means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that—

- (a) does not involve employing a person who is not a member of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m²; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not—
 - (i) require a greater number of parking spaces than normally required for a Single House; or
 - (ii) result in an increase in traffic volume in the neighbourhood; and
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

home office means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation—

- (a) is solely within the dwelling; and
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling;

home store means a shop attached to a dwelling that—

- (a) has a net lettable area not exceeding 100m²; and
- (b) is operated by a person residing in the dwelling;

hospital means premises used as a hospital as defined in the *Hospitals and Health Services Act 1927* section 2(1);

hosted short-term rental accommodation means any of the following—

- (a) short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement;
- (b) short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement;
- (c) short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement;

hotel means premises the subject of a hotel licence other than a small bar or tavern licence granted under the *Liquor Control Act 1988* including any betting agency on the premises;

industry means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes—

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail;
- (d) the provision of amenities for employees;
- (e) incidental purposes;

industry—cottage means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which—

- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
- (b) where operated in a residential zone, does not employ any person other than a member of the occupier's household;
- (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;
- (d) does not occupy an area in excess of 50m²; and
- (e) does not display a sign exceeding 0.2m² in area.

industry—extractive means premises, other than premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes—

- (a) the processing of raw materials including crushing, screening, washing, blending or grading;
- (b) activities associated with the extraction of basic raw materials including wastewater treatment, storage, rehabilitation, loading, transportation, maintenance and administration;

industry—light means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed;

industry—primary production means premises used—

- (a) to carry out a primary production business as that term is defined in the *Income Tax Assessment Act 1997* (Commonwealth) section 995-1; or
- (b) for a workshop servicing plant or equipment used in primary production businesses;

liquor store—large means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of more than 300m²;

liquor store—small means premises the subject of a liquor store licence granted under the *Liquor Control Act 1988* with a net lettable area of not more than 300m²;

lunch bar means premises within an industrial or commercial area used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation with a net lettable area of not more than 100m², but does not include a fast food outlet or restaurant/cafe.

marina means—

- (a) premises used for providing mooring, fuelling, servicing, repairing, storage and other facilities for boats, including the associated sale of any boating gear or equipment; and
- (b) all jetties, piers, embankments, quays, moorings, offices and storerooms used in connection with the provision of those services;

marine filling station means premises used for the storage and supply of liquid fuels and lubricants for marine craft;

market means premises used for the display and sale of goods from stalls by independent vendors;

medical centre means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

mining operations means premises where mining operations, as that term is defined in the *Mining Act 1978* section 8(1) is carried out;

motor vehicle, boat or caravan sales means premises used to sell or hire motor vehicles, boats or caravans;

motor vehicle repair means premises used for or in connection with—

- (a) electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or
- (b) repairs to tyres other than recapping or re-treading of tyres;

motor vehicle wash means premises primarily used to wash motor vehicles;

nightclub means premises the subject of a nightclub licence granted under the *Liquor Control Act 1988*;

office means premises used for administration, clerical, technical, professional or similar business activities;

park home park means premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Schedule 8;

place of worship means premises used for religious activities such as a chapel, church, mosque, synagogue or temple;

reception centre means premises used for hosted functions on formal or ceremonial occasions;

recreation—private means premises that are—

- (a) used for indoor or outdoor leisure, recreation or sport; and
- (b) not usually open to the public without charge;

renewable energy facility means premises, buildings or structures used to generate energy from a renewable energy source, where energy is being produced for commercial gain. It does not include solar panels or a wind turbine principally used to supply energy for an individual lot's private domestic or rural supply;

repurposed dwelling means a building or structure not previously used as a single house, which has been repurposed for use as a dwelling;

resource recovery centre means premises other than a waste disposal facility used for the recovery of resources from waste;

restaurant/cafe means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the *Liquor Control Act 1988*;

restricted premises means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of—

- (a) publications that are classified as restricted under the *Classification (Publications, Films and Computer Games) Act 1995* (Commonwealth); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity; or
- (c) smoking-related implements;

roadhouse means premises that has direct access to a State road other than a freeway and which provides the services or facilities provided by a freeway service centre and may provide any of the following facilities or services—

- (a) a full range of automotive repair services;
- (b) wrecking, panel beating and spray painting services;
- (c) transport depot facilities;
- (d) accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period;
- (e) facilities for being a muster point in response to accidents, natural disasters and other emergencies;
- (f) dump points for the disposal of black and/or grey water from recreational vehicles.

rural home business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation—

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 200m²; and
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.

rural produce store means a premise used by the occupier of the premise for carrying out a business where—

- (a) It does not occupy an area greater than 25m²;
- (b) it is used for sale of produce associated with farming operations, but may include local souvenir products; and
- (c) Will not adversely affect the amenity of the neighbourhood;

rural pursuit/hobby farm means any premises, other than premises used for agriculture—extensive or agriculture—intensive, that are used by an occupier of the premises to carry out any of the following activities if carrying out of the activity does not involve permanently employing a person who is not a member of the occupier's household—

- (a) the rearing, agistment, stabling or training of animals;
- (b) the keeping of bees;
- (c) the sale of produce grown solely on the premises;

second-hand dwelling means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a new modular or transportable dwelling.

service station means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for—

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles;

shop means premises other than a bulky goods showroom, a liquor store—large or a liquor store—small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;

small bar means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*;

tavern means premises the subject of a tavern licence granted under the *Liquor Control Act 1988*;

telecommunications infrastructure means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network;

tourist and visitor accommodation—

- (a) means a building, or a group of buildings forming a complex, that—
 - (i) is wholly managed by a single person or body; and
 - (ii) is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and
 - (iii) may include on-site services and facilities for use by guests; and
 - (iv) in the case of a single building—contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;
 and
- (b) includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but
- (c) does not include any of the following—
 - (i) an aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1);
 - (ii) a caravan park;
 - (iii) hosted short-term rental accommodation;
 - (iv) a lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1);
 - (v) a park home park;

- (vi) a retirement village as defined in the *Retirement Villages Act 1992* section 3(1);
- (vii) a road house;
- (viii) workforce accommodation;

trade display means premises used for the display of trade goods and equipment for the purpose of advertisement;

trade supplies means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises—

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including Local Government;

transport depot means premises used primarily for the parking or garaging of 3 or more commercial vehicles including—

- (a) any ancillary maintenance or refuelling of those vehicles; and
- (b) any ancillary storage of goods brought to the premises by those vehicles; and
- (c) the transfer of goods or persons from one vehicle to another;

tree farm means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the *Carbon Rights Act 2003* section 5;

unhosted short-term rental accommodation means short-term rental accommodation that—

- (a) is not hosted short-term rental accommodation; and
- (b) accommodates a maximum of 12 people per night;

veterinary centre means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;

warehouse/storage means premises including indoor or outdoor facilities used for—

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods;

waste disposal facility means premises used—

- (a) for the disposal of waste by landfill; or
- (b) the incineration of hazardous, clinical or biomedical waste;

waste storage facility means premises used to collect, consolidate, temporarily store or sort waste before transfer to a waste disposal facility or a resource recovery facility on a commercial scale;

winery means premises used for the production of viticultural produce and associated sale of the produce;

workforce accommodation means premises, which may include modular or relocatable buildings, used—

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
 - (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors
-

Schedule A—Supplemental provisions to the deemed provisions

These provisions are to be read in conjunction with the Deemed Provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Clause 61. Development for which development approval is not required**Clause 61(1)—Table**

	Column 1 Works	Column 2 Conditions
6.	The erection of, or alterations or additions to, a single house on a lot.	(a) The R-Codes apply to the works. (b) The works comply with the deemed to comply provisions of the R- Codes. (c) The works are not located in a heritage-protected place. (d) The works satisfy the development standards set out in the scheme for that particular zone.
22.	The erection or extension of a single house, or ancillary dwelling on a lot.	(a) A single house or ancillary dwelling is a permitted (“P”) use in the zone where the R Codes do not apply. (b) The works satisfy the development standards set out in the scheme for that particular zone (including boundary setbacks). (c) The works are not located in a heritage-protected place; or (d) The works are on a lot with direct access to a constructed road reserve or on a lot with direct frontage to a gazetted road reserve; or (e) The works are not within a Special Control Area.
23.	The erection or extension of an external fixture, boundary wall or fence, patio, pergola, veranda on the same lot as a single house.	(a) A single house is a permitted (“P”) use in the zone where the R Codes do not apply. (b) The works satisfy the development standards set out in the scheme for that particular zone (including boundary setbacks). (c) The works are not located in a heritage-protected place. (d) The works are not within a Special Control Area.
24.	The carrying out of works by the Local Government that are wholly located on a reserve managed by the Local Government.	
25.	The erection or extension of an outbuilding on the same lot as a single house.	(a) A single house is a permitted (“P”) use in the zone where the R Codes do not apply. (b) The works satisfy the development standards set out in the scheme for that particular zone (including boundary setbacks). (c) The works are not located in a heritage-protected place. (d) The works are not within a Special Control Area. (e) The works comply with an adopted Local Planning Policy.
26.	Minor additions to existing caravan park sites.	(a) The additions do not increase the number or change the nature or use of available accommodation units.

Clause 61. Consideration of application by Local Government

Clause 67 (2)(zc).

any advice of a Design Review Panel.

Schedule 1—Additional Uses

SCHEDULE 1—ADDITIONAL USES			
No.	Description of Land	Additional Use	Conditions
A1	64 North Treeton Road, Cowaramup	Tourist and Visitor Accommodation in the form of Chalets/Cabins (Maximum of 6 Chalets and Cabins total)	- Buildings and materials are to complement the existing environment. - A Landscaping Plan should be prepared and implemented which details the augmentation, establishment and maintenance of vegetated buffers as indicated on the approved Development Guide Plan to provide a visual screen to the development and soften the built form and scale of the development. (Establishment of native vegetation buffers of varying heights and appearance to provide a visual screen of the development and soften the built form and scale of the development). - Retention and management of areas of remnant native vegetation, including fencing of areas of remnant vegetation where appropriate will be required as a condition of any development approval.
A2	Lot 85 Buller Road, Karridale	Agriculture—intensive (limited to a Plant Nursery) and Restaurant/Café (Limited to Tea Rooms)	
A3	Lot 688 Stevens Road, Margaret River	Restaurant, Winery, Recreation—Private (Open Air Entertainment Area), Reception Centre (Function Rooms)	
A4	Lot 1 Corner Connelly Road and Laurel Court, Margaret River	Tourist and Visitor Accommodation in the form of a Guest house	Maximum 4 guest rooms.
A5	Lot 5 Corner Wallcliffe Road and Wilderness Road, Margaret River	Tourist and Visitor Accommodation in the form of a Guest house	Maximum 5 guest rooms.
A6	Lot 22 Eucalyptus Court, Margaret River	Tourist and Visitor Accommodation in the form of Chalets (Maximum of 6 Chalets)	
A7	Lot 523 Devon Drive, Margaret River	Tourist and Visitor Accommodation in the form of a Guest house	Maximum 2 bedrooms.
A8	Lot 501 Devon Drive, Margaret River	Tourist and Visitor Accommodation in the form of a Guest house	Maximum 2 bedrooms.
A9	Sussex Location 1386 Caves Road, Karridale	Private Recreation (Tourist Maze and Incidental Uses)	

SCHEDULE 1—ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions
A10	Lot 900 (134) Old Ellen Brook Road, Gracetown	Tourist and Visitor Accommodation—Combined facilities and Dormitory Accommodation for conservation farm consisting of 15 bed Dormitory and 3 dwellings. Combined facilities means kitchens, dining, living, bedrooms, toilets, laundries, workshops, storage rooms and covered walkways	- Land uses and development shall conform to the aims and objectives of the Leeuwin-Naturaliste Ridge Statement of Planning Policy No. 6.1 and of this Scheme. - Development shall be carried out in such a manner as to be inconspicuous to view from any nearby public roads or vantage points. - Other than that necessary to accommodate the additional use the subject of this clause, vegetation on the subject land shall be preserved.
A11	Lot 9 Sussex Location 911 Wallcliffe Road, Prevelly	Tourist and Visitor Accommodation—Chalets (Maximum of 4 Chalets)	
A12	Lot 3 (5023) Caves Road, Cowaramup	Tourist and Visitor Accommodation—Chalets (Maximum of 12 Chalets)	Development is limited to a low density chalet park facility to harmonise with the existing landscape and the retention of trees, flora and rural landscape.
A13	Lot 91, Sussex Location 933 Carters Road, Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 10 Chalets), Caretakers dwelling	Unless otherwise approved by the Local Government, no vegetation on the site shall be cleared.
A14	Lot 411, Caves Road, Karridale	Recreation Private and Tourist and Visitor Accommodation (Low impact outdoor education and recreation facility) including— - Bunkhouse accommodation - Camping - Single House (1) - Office/Reception - Recreational Facilities - Ancillary and Incidental Uses	- This facility is to be exclusively utilised for the outdoor education of patrons from accredited education providers, corporate organisations or community groups. The facility is not to be used for general Tourist and Visitor Accommodation of any kind. - The “Proposed Single House”, as shown on the approved Development Guide Plan, shall not be occupied until— - the Local Government has issued a development approval for the “Proposed Single House”; - the Local Government has issued a development approval which limits the ongoing use of the “Existing Residence” building to storage purposes only; and - the “Existing Residence” is made uninhabitable to the satisfaction of the Local Government. This will require the decommissioning of all ablution, bathroom and kitchen facilities in the “Existing Residence”. Following the occupation of the “Proposed Single House”, all the above mentioned facilities shall be removed in a timely manner to the satisfaction of the Local Government. - All development shall be consistent with Local Government’s Visual Management Guidelines and be located as generally shown on the approved Development Guide Plan. If a minor variation to building locations is proposed at the time of seeking development approval then the development is to be located on portions of the lot that are

SCHEDULE 1—ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions
			demonstrated to the satisfaction of the Local Government, WA Department of Health, the Department of Fire and Emergency Services and the Department of Biodiversity, Conservation and Attractions as being suitable for development in terms of fire protection, effluent disposal, visual impact and impacts on the nearby and adjoining National Park. Permitted development, which is proposed to be located in areas significantly different from that shown on the Development Guide Plan will not be supported. 4. In considering any proposal for development, the following shall be addressed to the satisfaction of the Local Government— (a) effluent disposal including a geo-technical report prepared to the satisfaction of the Department of Health demonstrating the site's suitability for on-site effluent disposal; (b) water supply; (c) vehicular access to be in accordance with the requirements of Main Roads WA. (d) fire protection measures to the satisfaction of the Department of Fire and Emergency Services, Department of Biodiversity, Conservation and Attractions and the Local Government, and such measures shall form a Bushfire Management Plan to be adopted by the Local Government for any subsequent development on the lot and implemented at the development stage; (e) built form including building materials and building bulk in accordance with the Local Government's Visual Management Guidelines; (f) prior to approval of any development on the site (including clearing and prescribed burning) an investigation is to be undertaken, at the cost of the landowner, by a suitably qualified person to identify, document and make recommendations on the protection of the "pioneer cemetery" (graves) located on the property. This investigation is to be undertaken to the satisfaction of the Local Government and the Heritage Council of Western Australia, with the report recommendations being implemented through conditions of development approval for any proposed use/development;

SCHEDULE 1—ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions
			(g) that a Management Plan be put in place to the satisfaction of the Local Government; and (h) that a Management Plan for weed control, flora protection and erosion control be prepared and implemented to the satisfaction of the Local Government. 5. Development as may be approved by the Local Government is to be located in such a manner as to cause minimal disturbance to existing vegetation. 6. Total accommodation on site to be a maximum of 120 persons at any one time, unless otherwise permitted by the Local Government in special circumstances. 7. The site shall not be used for Tourist and Visitor Accommodation purposes and shall only be used in accordance with the purpose and intent of this “Additional Use” zone as specified in clause 1 above. 8. The Local Government will not support applications to subdivide or strata subdivide the subject land. 9. Prior to the approval of any development permitted under this “Additional Use” zone, the existing restrictive covenant applicable to the land is to be modified to limit development to that permitted by this zoning to the satisfaction of the Local Government and the Western Australian Planning Commission.
A15	Lots 521 and 522 Yates Road Margaret River	Tourist and Visitor Accommodation in the form of Chalets (Maximum of 2 Chalets) or equivalent scale of Tourist and Visitor Accommodation in the form of a Guest house Caretakers dwelling (1)	1. Details of the proposed landscaping, protection of existing vegetation on the land, screening of the proposed development from Caves Road in particular and any other visual impact being to the satisfaction of the Local Government. 2. Details of the proposed water supply, septic effluent disposal and provision of other services being to the satisfaction of the Local Government.
A17	Lot 4555 Hillview Road Augusta	Art Gallery, Tourist and Visitor Accommodation—Chalets (Maximum of 6 Chalets), Caretakers Dwelling and Office	
A18	Lot 302 (426) Carters Road, Burnside	Education Establishment in the form of a Sustainable Living Institute	
A19	Lot 901 Osmington Road, Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 9 Chalets)	
A20	Lot 102 Gnarawary Road, Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 4 Chalets) and Caretakers dwelling	
A21	Lot 2 Heron Drive, Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 2 Chalets)	

SCHEDULE 1—ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions
A22	Lot 18 Ashton Street, Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 2 Chalets)	
A23	Lot 19 Ashton Street, Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 2 Chalets)	
A24	Part Lot 972 Horseford Road, Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 8 Chalets) and associated facilities Caretakers dwelling (1)	1. All development shall comply with the following development guidelines— (a) buildings shall not be constructed of a height greater than 8 metres in accordance with the Local Government's formula for determining height however the Local Government can determine a lesser height limit requirement upon assessment of topographical and visual constraints; (b) buildings shall be of a sympathetic design, material and colour to complement surrounding landscape elements, to the satisfaction of the Local Government and non-reflective roofing material will be required; (c) outbuildings shall form a unified group with the main building and should be of a similar form, colour and materials; (d) buildings on land of ratio greater than 1 in 10 slope shall be split level or pier construction to the satisfaction of the local government;
A25	Lot 76 Kevill Road West (Cnr Wallcliffe Road) Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 2 Chalets)	
A26	Lot 2 Station Road, Margaret River	Medical Centre	
A27	Sussex Location 607 South West Corner Caves and Wallcliffe Road, Margaret River	Restaurant	
A28	Lot 1 Kevill Road, Margaret River	Tourist and Visitor Accommodation—Chalets (Maximum of 12 Chalets) or Tourist and Visitor Accommodation in the form of a Guest house of a maximum of 30 guest bedrooms.	
A29	Lot 61 Sussex Location 2705 Sebbes Road, Forest Grove	Residential Building	Dormitory accommodation unit comprising 22 beds
A30	Lot 3 St Alouarn Place, Margaret River/Prevelly	Tourist and Visitor Accommodation—Chalets (Maximum of 1 Chalet)	The additional use to comprise a maximum of single-bedroom chalet.

SCHEDULE 1—ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions
A31	Lot 8 Loaring Place, Margaret River (Corner Caves Road and Loaring Place)	Tourist and Visitor Accommodation—Chalets (Maximum of 1 Chalet) Tourist and Visitor Accommodation in the form of a lodging house of a maximum of 4 guest bedrooms and incidental day spa of no greater than 120 square metres in size.	
A32	Lots 101 and 102 Van Sittart and Twenty Four Road, Karridale	Lot 101 Tourist and Visitor Accommodation—Chalets or Cabins (Maximum of 4 Chalets or Cabins) Industry—Light (in the form of a Cottage Industry) and Art Gallery; Lot 102 Shop (for sale of goods produced on-site and merchandise related to the uses of the site); Restaurant/Cafe	
A33	Strata Lots 22-23, Lot 504 Caves Road, Margaret River	Restaurant/Cafe “A” Industry—Light (in the form of a Cottage Industry) and Art Gallery “A” Tourist and Visitor Accommodation—Chalets or Cabins “A”	1. As per ADS7
A34	Lot 2 (36) Armstrong Road, Cowaramup	Tourist and Visitor Accommodation—Chalets (Maximum of 24 Chalets)	1. There is no maximum floorspace 2. The maximum height of each short stay dwelling shall be 2 storey or 8 metres measured to the top of the roof. 3. All short stay dwelling units shall incorporate Alternative Treatment Units that must be designed and located in accordance with the onsite effluent disposal report and comply with the Department of Water and Environmental Regulation WQPN 70—Wastewater treatment—onsite domestic systems. 4. Any revegetation or landscaping works within the precinct shall consist of local indigenous species or olive or orchard trees consistent with the existing agricultural activities on site. 5. Fencing around each short stay dwellings lots shall not be permitted except to define a yard area, within the building envelope. 6. No vegetation shall be cleared within the short stay precinct except for the purposes of— (a) Compliance with the approved Bushfire Management Plan (b) Construction of vehicular driveways; and (c) Clearing within the designated building envelope, as shown on the Subdivision Development Guide Plan, to facilitate approved development.

SCHEDULE 1—ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions
A35	Strata Lot 17, 410 Caves Road, Margaret River	Residential Building “A”	
A36	Strata Lot 18, 410 Caves Road, Margaret River	Grouped Dwelling (1) “A” Caretakers Dwelling (1) “A”	
A37	Lot 112 Caves Road, Gracetown	Rural Pursuit/Hobby Farm	1. The use is limited to the stabling, agistment or training of horses for private purposes. 2. The number of horses kept on the land shall be in accordance with the Department of Primary Industries and Regional Development Stocking Rate Guidelines and determined using areas currently cleared of native vegetation. 3. Fencing of the dams and remnant vegetation on the land is required prior to any horses being brought onto the land.
A38	Lot 102 (80) Rickett Road, Cowaramup	• Agriculture—Intensive and incidental uses	1. Intensive agriculture is limited to cleared areas.
A39	Lot 103 Rowcliffe Road, Forest Grove	• Reception Centre	1. The duration, frequency and size of events shall be determined through a development application.
A40	No. 1—31 Elizabeth Street, Margaret River No. 270—302 Railway Terrace, Margaret River	• Industry Light “A” • Motor Vehicle Repair “D” • Warehouse/Storage “D”	1. A light industry may only be established where— (a) A residence is first erected and forms an integral part of the development; (b) The light industry is located at the rear of the residential dwelling; (c) Is operated by either the owner or a lessee of the residence, or an employee of the owner of the lessee; and (d) The industry is of a nature that can operate compatibility with residential living and with minimal impact on adjoining properties. (e) The industry may be located in an outbuilding up to 120m² in area, with a wall height not exceeding 3.5m and a ridge height not exceeding 4.5m. 2. In considering an additional use for development approval, the Local Government will require— (a) The provision of access, parking and service areas to the Local Governments specifications and satisfaction; (b) Noise levels within the assigned levels for noise sensitive premises as set by the <i>Environmental Protection (Noise) Regulations 1997</i>; and (c) Operating hours to be restricted to reasonable levels in recognition of the residential use of the area. 3. The following development standard apply— (a) Averaging of the front setback is not permitted.

SCHEDULE 1—ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions
			(b) Outbuildings are permitted up to 120sqm with a wall height up to 3.5m and ridge height up to 4.5m.
A41	Lot 12, O'Halloran Place, Augusta	Tourist and Visitor Accommodation in the form of a Chalet (1)	
A42	Lot 417 Caves Road, Redgate	Winery (A)	
A43	Lots 10 and 11 Memorial Drive, Cowaramup	Community Purposes (D) Restaurant/Café (D) Club Premises (D)	
A44	Lot 13 Kulbardi Way, Witchcliffe	Single House (D)	
A45	Lots 265, 270, 302, 301, 17, 18, 8, 7, 31 and 30 Allnut Terrace, Augusta	• Office "D" • Consulting Rooms "D" • Medical Centre "D"	
A46	1,3,5,7 and 9 Ellis Street, No.'s 48, 51, 53, 61 Blackwood Ave and Lot 59 Blackwood Ave and 60 Salkilld Place, Augusta (Augusta Hotel Site)	• Tourist and Visitor Accommodation. Grouped dwellings.	
A47	Portion of Lot 46 Treeton Road, Cowaramup	• Caretakers Dwelling	

Schedule 2—Restricted Uses**SCHEDULE 2—RESTRICTED USES**

No.	Description of land	Restricted Use	Conditions
R1	Lot 501 Wooditch Road, Margaret River	Single House (D)	1. The keeping of livestock is not permitted. 2. The maximum size of any single house is to be 150m². The single house is to be located in such a way as to minimise disturbance of native vegetation. 3. Conditions may be imposed on any approval which ensure the conservation of the natural environment and safeguard against uses of the land that could damage or destroy the ecological, scenic or recreational values and ensure harmony with adjoining rural, rural residential and tourist development.
R2	Lot 38 Albany Terrace, Augusta	• Restaurant/Cafe • Shop • Fast food outlet/Lunch Bar • Small Bar	Ancillary uses may be determined by Local Government to be appropriate as a discretionary use.

SCHEDULE 2—RESTRICTED USES

No.	Description of land	Restricted Use	Conditions
R3	Location 311 Black Rock Road Boodjidup	Single House (1)	
R4	Lot 11 and Waddingham Gracetown Lot 91 Road	• Single House (1)(P) • Home Occupation (P) • Intensive Agriculture (D) • Rural Pursuit/Hobby Farm (D) • Industry—Light (in the form of a Cottage Industry) (D)	
R5	Pt Sussex Location 1058 Juniper Road Cowaramup	• Single House (1) (P) • Home Occupation (P)	
R6	Lots 540 and 541 Caves Road Burnside	Lot 540 • Single House (including associated outbuildings) (P) Lot 541 • Single House (including associated outbuildings) (P) • Ancillary Dwelling (A) • Home Occupation (A) • Industry—Cottage limited to an art and craft studio (A) Maximum 500 square metres gross floor area) • Industry –Cottage limited to an Art and Craft Studio(s) (A) (maximum 5 studios of 70 square metres each gross floor area) • Art Gallery (A)	
R7	Lots 1 and 2 Caves Road, Karridale	• Single House (1) (P) • Home Occupation (P)	
R8	Lots 202-205 Judd Road, Gracetown	• Single House(1) (P) • Home Occupation (P) • Incidental outbuildings (D)	
R9	Lot 601 and 602 Grosse Road, Hamelin Bay	Lot 601. The following are P uses— • Tourist and Visitor Accommodation—Chalets (Maximum of 6 Chalets) • Single House • Private Recreation in the form of Recreational Activities • Rural Pursuit/Hobby Farm (including rural shed)	

SCHEDULE 2—RESTRICTED USES

No.	Description of land	Restricted Use	Conditions
		• Ancillary Uses as determined by the Shire Lot 602. The following are P uses— • Tourist and Visitor Accommodation—Chalets (Maximum of 4 Chalets) • Intensive Agriculture • Industry—Light (in the form of a Cottage Industry) • Art Gallery / Exhibition Centre in the form of a Museum • Shop • Restaurant/Café • Single House • Private Recreation in the form of recreational activities such as giant chess and sculpture trail • Rural Pursuit/Hobby Farm (including rural shed) • Ancillary Uses as determined by the Shire	
R10A	Portion of Lot 32 Darch Road, Margaret River	<u>Buffer Industry</u> • Industry—Light (D)* • Art Gallery (P) • Brewery (D) • Car Park (P) • Club Premises (D) • Convenience Store (D) • Educational Establishment (D) • Exhibition Centre (D) • Lunch Bar (D) • Place of Worship (D) • Telecommunications Infrastructure (P) • Trade Display (P) • Veterinary Centre (D) • Warehouse/Storage (P) • Garden Centre (D) • Trade Supplies (D) • Motor Vehicle, Boat or Caravan Sales (A) • Motor Vehicle Repair (D) • Caretaker's Dwelling (A) *Conditions relating to 'Industry—Light' in RU 10B apply.	1. Any noise generating activities are to be confined to an indoor area, with all buildings to be oriented to front the new internal road. Any major openings are to be located on building facades facing away from sensitive land uses; 2. Access to the proposed lots is restricted to the internal subdivision road, with no access from Darch Road; 3. Additional screening and landscaping requirements for lots adjacent to the proposed perimeter bypass and main entry roads may be imposed through the preparation and adoption of Design Guidelines; 4. Future development applications shall be accompanied by an Environmental Management Plan to adequately address matters relating to acceptable noise levels/ mitigation measures, dust and odour control as relevant to the proposed use and considered in the context of nearby sensitive land uses external to the Restricted Use Zone. 5. In the event that reticulated sewer is not available, the use of onsite effluent disposal system on individual lots is permitted subject to:

SCHEDULE 2—RESTRICTED USES

No.	Description of land	Restricted Use	Conditions
			• The minimum lot size being 2,450m². • The land uses established thereon not generating more than 540 litres of effluent per day / per 2000m² land area as required by Department of Health criteria. • The development layout on each individual lot being able to establish a dedicated disposal area of maximum 270m². This area is to be free of built structures including car parking and accessways and hard stand areas but can form part of the landscaped area. • The specific effluent disposal system being approved by the Shire of Augusta—Margaret River 6. Land uses that are likely to exceed the above parameters are considered to be “wet industries” and accordingly, will need to demonstrate an alternative effluent disposal arrangement to the satisfaction of the Local Authority. 7. Retail activity is limited to that which is incidental to the predominant land use occurring on the site. 8. The maximum Caretaker’s Dwelling size shall be 150m².
R10B	Portion of Lot 32 Darch Road, Margaret River	<u>Light Industry</u> Uses permitted in RU 17A with the exception of Caretaker’s Dwelling • Transport Depot (in the form of a Bus Depot) (D) • Fuel Depot (D) • Industry (D) • Industry—Light (P) • Industry—Primary Production (D) • Motor Vehicle Repair (D) • Winery (D)	3. Development is required to meet acceptable buffer distances from surrounding land. Due regard will be given to EPA Guidance for the “Assessment of Environmental Factors—Separation Distances Between Industrial and Sensitive Land Uses (2005)”, as may be amended from time to time, in determining acceptable separation distances from sensitive land use on surrounding land. 4. In the event that reticulated sewer is not available, the use of onsite effluent disposal system on individual lots is permitted subject to— • The minimum lot size being 2,450m². • The land uses established thereon not generating more than 540 litres of effluent per day / per 2000m² land area as required by Department of Health criteria. • The development layout on each individual lot being

SCHEDULE 2—RESTRICTED USES

No.	Description of land	Restricted Use	Conditions
			able to establish a dedicated disposal area of maximum 270m². This area is to be free of built structures including car parking and accessways and hard stand areas but can form part of the landscaped area. • The specific effluent disposal system being approved by the Shire of Augusta—Margaret River 5. Land uses that are likely to exceed the above parameters are considered to be “wet industries” and accordingly, will need to demonstrate an alternative effluent disposal arrangement to the satisfaction of the Local Authority. 6. Retail activity is limited to that which is incidental to the predominant land use occurring on the site.
R10C	Portion of Lot 32 Darch Road, Margaret River	<u>General Industry</u> Uses permitted in RU 10B	1. Development is required to meet acceptable buffer distances from surrounding land. Due regard will be given to EPA Guidance for the “Assessment of Environmental Factors—Separation Distances Between Industrial and Sensitive Land Uses (2005)”, as may be amended from time to time, in determining acceptable separation distances from sensitive land use on surrounding land. 2. In the event that reticulated sewer is not available, the use of onsite effluent disposal system on individual lots is permitted subject to— • The minimum lot size being 2,450m². • The land uses established thereon not generating more than 540 litres of effluent per day / per 2000m² land area as required by Department of Health criteria. • The development layout on each individual lot being able to establish a dedicated disposal area of maximum 270m². This area is to be free of built structures including car parking and accessways and hard stand areas but can form part of the landscaped area. • The specific effluent disposal system being approved by the Shire of Augusta—Margaret River

SCHEDULE 2—RESTRICTED USES

No.	Description of land	Restricted Use	Conditions
			3. Land uses that are likely to exceed the above parameters are considered to be “wet industries” and accordingly, will need to demonstrate an alternative effluent disposal arrangement to the satisfaction of the Local Authority. 4. Retail activity is limited to that which is incidental to the predominant land use occurring on the site.
R11	Portions of Common Property (CP) 23 and all of CP 22 on Survey- Strata Plan 45225, Cowaramup Bay Road, Cowaramup	Recreation—private (D)	

Schedule 3—Special Uses**SCHEDULE 3—SPECIAL USE ZONES**

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S1	Lot 303 Mitchell Drive, Prevelly	• Shop • Single House • Restaurant/Cafe • Tourist and Visitor Accommodation	1. The development being designed to harmonise with the nearby Greek Orthodox Church and the landscape of Prevelly Park generally, to Local Government's satisfaction. 2. In considering applications for development the Local Government shall give particular regard to the following— • Prevelly/Gnarabup Landscape • Aesthetics • Visual Impact • Effluent Disposal • Drainage • Landscaping • Servicing • Parking • Retention of Existing Vegetation • Soil and Landform Protection
S2	Lot 153 and 154 Blue Gum Place, Cowaramup,	Village Centre • Residential Building “D” Use Category— • Unhosted short-term rental accommodation • Grouped Dwelling • Multiple Dwelling • Single House • Tourist and Visitor Accommodation in the form of a Motel • Hotel	1. Prior to any development being approved in the Village Centre, a Local Development Plan is to be prepared. The LDP shall address but not be limited to— (a) Front Setbacks (b) Side Setbacks (c) Building Height (d) Multiunit Development (e) Mixed Use Development (f) Overshadowing (g) Front Fencing (h) Boundary Fencing (i) Levels (j) Roofscapes

SCHEDULE 3—SPECIAL USE ZONES

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
		• Tourist and Visitor Accommodation in the form of a Guest house • Market • Art Gallery • Medical Centre • Consulting Rooms • Educational Establishment • Office • Shop • Restaurant/Café • Fast Food Outlet/ Lunch Bar "A" Use Category— • Recreation—Private	(k) Outbuildings and Other Structures 2. All development is to be connected to a reticulated water supply and a reticulated sewerage scheme.
S3	Lot 2703 Caves Road, Forest Grove	Grouped Dwellings as per strata subdivision approval WAPC ref. 352-23	1. Any facilities should be for "Residents" purposes only. 2. No commercial activity is permitted other than the sale of produce or cottage crafts grown or made on the property.
S4	Lot 544 Wandoo Place Cowaramup	No permanent buildings/structures will be permitted, however, the following short term/temporary land uses may be permitted— • Trade Display "D" • Market "A" • Private Recreation "A"	1. Prior to the Local Government considering any proposed use the proponent is to prepare a management plan which addresses the following— • frequency of proposed use; • hours of operation; • potential noise impacts; • traffic and parking management; • public toilet facilities; • crowd control and security; • vegetation protection; • methods to reduce any potential land use conflict; and • any other matter and/or special events policy required by the Local Government to demonstrate the suitability of the proposed use. 2. Uses other than those listed are prohibited except where it can be demonstrated, to the satisfaction of the Local Government, that those uses are incidental or ancillary to an approval permitted use.
S5	Lot 4 Wallecliffe Road, Margaret River	Golf Club/Course Tourism Area • Caretakers Dwelling • Recreation—Private (Golf Course, Golf Club House, Storage and Workshop Buildings for Golf Club Use) "D" • Shop (Golf) "D" • Tourist and Visitor Accommodation "A" • Restaurant/Cafe "A" • Reception Centre "A"	Subdivision shall generally be in accordance with a Subdivision Guide Plan approved by the Local Government and Western Australian Planning Commission or a subsequent Structure Plan approved by the Western Australian Planning Commission in accordance with the process set out in Part 4 of the Deemed Provisions. Building materials used shall be sympathetic to the surrounding landscape. New buildings shall be restricted to a height of 8 metres (unless varied under

SCHEDULE 3—SPECIAL USE ZONES			
NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
		• Telecommunications Infrastructure "A" • Ancillary uses consistent with the objectives of the zone "A" Rural Residential Cluster • Grouped Dwellings • Home Occupation • Single House • Unhosted short term rental accommodation "A"	Schedule 7, clause 7(2) or subject to Schedule 7, clause 7(3) as calculated in accordance with the Local Government's Scheme and Policy requirements. All new buildings are to be supplied with underground power. The existing access road should be upgraded and new internal roads servicing the chalets and the rural residential dwellings should be constructed to satisfaction of the Shire. On-site car parking shall be provided in accordance with the Local Government's requirements. Waste Water Disposal A site and soil evaluation shall be submitted at the time of development or subdivision, by a suitably qualified person in accordance with Australian Standards and Government guidelines to determine an appropriate onsite waste water treatment system and waste water reuse systems. The proposed development should be connected to reticulated sewerage. Should this not be available, on-site effluent disposal systems designed for long term usage (such as Secondary Treatment Unit which will attenuate nutrients) should be in place prior to any further development to the satisfaction of the Local Government. Septic tanks or leach drains will not be acceptable. On-site effluent disposal facilities shall be constructed at least 100 metres away from the high water mark of any waterway or soak and must have 2 metres of vertical separation from the highest known water table or bedrock. An Integrated Water Servicing plan for the proposed water use and recycling detailing water conveyancing, rainwater harvesting, wastewater treatment, wastewater reuse and operator license details and obligations for all existing and proposed structures and for irrigation of the golf course areas should be submitted to the satisfaction of the Local Government prior to further development or subdivision. Recycled Water/Grey Reuse Participation in the Margaret River Recycled Water Scheme shall be encouraged. Grey water reuse systems are to be investigated and should be incorporated into future development together with appropriate buffers and screening to minimise occupant contact and recycled water spray drift into areas of public access. Water Supply Any future development will be required to be connected to the Margaret River Reticulated Scheme water supply.

SCHEDULE 3—SPECIAL USE ZONES

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
			Development should investigate and incorporate rooftop harvesting and provision of rainwater storage tanks. This should be included in the Water Servicing Plan. Stormwater Stormwater and water management within the development site shall include, but not be limited to— Incorporation of Water Sensitive Urban Design principles; Systems for collection and reuse of rain water; and Systems for treatment and recycling of grey water. A stormwater management plan or strategy to be prepared and implemented at either development or subdivision stage incorporating the principles and best management practices detailed in the Planning and Management Guidelines for Water Sensitive Urban Design (Western Australian Planning Commission, 1994) and the Stormwater Management Manual for Western Australia (Department of Water and Environmental Regulation, 2004). Stormwater from residential developments should not be directly discharged into any waterways. Any stormwater management plan should be to the satisfaction of the Department of Water and Environmental Regulation. Environment Further clearing of remnant vegetation other than that shown on the Development Guide Plan for development and bushfire management purposes shall not be permitted. Prior to development or subdivision on areas proposed for clearing a fauna survey should be conducted by a qualified consultant in accordance with EPA Guidance Statement No. 56 (June 2004)—Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia. Prior to development or subdivision a flora and vegetation survey should be conducted on areas proposed for clearing by a qualified consultant in accordance with EPA Guidance Statement No. 51 (June 2004)—Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia. During construction, areas of native vegetation must not be damaged by any works including the placement of fill, rubble, rubbish or any other material, nor is any removal, clearing or damage to occur to any vegetation. Clearing of vegetation will only be permitted in those areas approved for development and bushfire management purposes. Site works must not commence until the Local Government has approved

SCHEDULE 3—SPECIAL USE ZONES

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
			detailed engineering plans and specifications of the works, including earthworks, roads, drainage, clearing, landscaping/rehabilitation and soil stabilisation measures, both during and after construction. A landscape master plan shall be prepared and implemented to the satisfaction of the Local Government prior to commencement of development or subdivision. This landscape master plan shall incorporate the retention of native vegetation on site and revegetation with appropriate native plant species, known to naturally occur in the subject area (local provenance). Revegetation should include species of varying heights and appearance to soften the built form and scale of the development. Prior to commencement of site works the Department of Indigenous Affairs may require the applicant to prepare an ethnographic and archaeological survey of the application area and document archaeological monitoring procedures to the specifications of the Department of Indigenous Affairs. Fire In the event of any future subdivision, arrangements must be made to ensure that the Golf Club remains responsible for bushfire management requirements and management of common property. Subsequent land owners are to be informed of these arrangements.
S6	211, Lot 201 Bussell Hwy, Margaret River.	Service station	The retail sale component of the service station shall not exceed 200m ² .
S7	Lot 111, Corner Bussell Highway and Andrews Way, Margaret River	Tourism Related Commercial Uses as outlined by the endorsed Local Development Plan— • Café, Small Bar, Art Gallery, Garden Centre, Industry—Light (in the form of a Cottage Industry)	Use and development is limited to tourism related uses which do not provide convenience goods and services and do not compete with the function of the town centre or neighborhood centres.
S8	Lot 752 Tingle Avenue Margaret River	• Art Gallery; • Child Care Premises; • Club Premises; • Community Purpose; • Educational Establishment; • Family Day Care; • Place of Worship; • Recreation—Private; and • Telecommunications Infrastructure.	The design and scale of development is to be sympathetic to the residential character of the locality.
S9A	Lots 1 to 12 on Strata Plan 77789 Ecovillage Agriculture Area 1	• Agriculture intensive (P) • Garden Centre (P) • Rural pursuit/ hobby farm (excluding horse agistment) (P)	<u>Objectives</u> • To provide a broad range of productive, intensive agricultural and affiliated uses as per the objects of the Witchcliffe Ecovillage Structure Plan.

SCHEDULE 3—SPECIAL USE ZONES

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
		• Rural produce store (P) • Renewable Energy Facility (D) • Art gallery (D) • Industry—Primary Production (D) • Brewery (Lots 8,9,10,11) (D)	• Land uses are further controlled by Strata By-laws to ensure village scale and suitability of operations. • The lots do not have a dwelling entitlement. <u>Conditions</u> 1. Limitations pertaining to the form, size and scale of buildings is set out in the applicable and approved local Development Plan. 2. Tasting and retail sales of beverages produced at a 'Brewery' is not permitted. 3. Land uses include incidental processing, packaging, sale, and associated activities linked with produce grown or cultivated on the land and in the Witchcliffe Ecovillage.
S9B	Portion of Lot 12 on DP421739 Ecovillage Agriculture Area 2	• Agriculture extensive (P) • Agriculture Intensive (P) • Garden Centre (P) • Rural pursuit/hobby farm (excluding horse agistment) (P) • Rural produce store (P) • Renewable Energy Facility (D) • Art gallery (D) • Industry—Primary Production (D)	<u>Objectives</u> • To provide for productive, extensive, or intensive agricultural development as per the objects of the Witchcliffe Ecovillage Structure Plan. • Land use is further controlled by Strata By-laws to ensure village scale and suitability of operations. <u>Conditions</u> 1. Limitations pertaining to the form, size and scale of buildings is set out in the applicable and approved local Development Plan. 2. Land uses include incidental processing, packaging, sale, and associated activities linked with produce grown or cultivated on the land and in the Witchcliffe Ecovillage.
S9C	Portion of Lot 9004 on DP 411147 Davis Road and Portion of 9506 on DP 411147 Ecovillage Agriculture Area 3	• Agriculture Intensive (P) • Agriculture Extensive (P) • Winery (D) • Rural Produce Store (P) • Art Gallery (D)	<u>Objectives</u> • To provide for productive, extensive, or intensive agriculture as per the objectives of the Witchcliffe Ecovillage Structure Plan. <u>Conditions</u> 1. Limitations pertaining to the form, size and scale of buildings is set out in the applicable and approved local Development Plan. 2. Land uses include the processing, packaging, sale, and associated activities linked with produce grown or cultivated on the land or in the Witchcliffe Ecovillage. 3. The Land Use of 'Art Gallery' is only permitted where they are incidental to the primary winery land use.

SCHEDULE 3—SPECIAL USE ZONES

NO.	DESCRIPTION OF LAND	SPECIAL USE ("P" uses unless otherwise specified)	CONDITIONS
S9D	Portion of Lot 9506 on DP 411147 and Lot 34 on DP421739 Ecovillage Commons	- Public open space and conservation (P) - Community Purpose (D) - Club premises (<i>Ecovillage Community Centre</i>) (D) - Office (<i>Ecovillage and Ecovillage Commons Land Management</i>) (D)	<u>Objectives</u> - To provide community land as per the objectives of the Witchcliffe Ecovillage Structure Plan. - To provide community land that is owned and managed by the not-for-profit Ecovillage Commons Limited Company <u>Conditions</u> - Witchcliffe Ecovillage Commons land comprises open space, dams, conservation land and community purpose land use and development for benefit of the Witchcliffe Ecovillage community. - Built Form will be limited to that necessary to support management of dams, open space, community purpose buildings and environmental restoration.
S9E	Portion of Lot 9004 on DP 411147 Davis Road and Portion of 9506 on DP 411147 Ecovillage Wastewater Treatment Plant	- Wastewater Treatment Plant and associated irrigation area. - Warehouse/Storage (P) - Agriculture—Extensive (P) - Agriculture—Intensive (P) - Renewable Energy Facility (D)	<u>Objectives</u> - To provide the Witchcliffe Ecovillage Wastewater Treatment Plant and Irrigation Area as per the Witchcliffe Ecovillage Structure Plan. <u>Conditions</u> - The Warehouse/Storage land use will be limited to that necessary to support operation and management of the WWTP and management of the eco village commons land only. - The Agriculture—Intensive and Agriculture—Extensive land uses are to function and complement the WWTP irrigation area.

Schedule 4—Zone Development Standards

Zone	Site Coverage (maximum)	Front (m)	Rear (m)	Side (m)	Landscaping (% of lot area)	Special Conditions/Comments
Urban Development	As per Residential Design Codes					All subdivision and development in the Urban Development zone shall be in accordance with a Structure Plan prepared and adopted in accordance with the provisions of Part 4 of the Deemed Provisions.
Residential	As per Residential Design Codes					Refer to Clause 26—Modification of R-Codes for exceptions. Side setbacks for R5 & R2.5 coded sites as per Schedule 7, clause 32(2).
Rural Residential	5% for lots ≤2ha 2.5% lots >2ha	30*	30*	20*	N/A	
Service Commercial	50%	5	Nil	Nil	5%	Landscaping along street frontage will be required.
District Centre	75%	Nil	Nil	Nil	Nil	Screening to service yards and waste management facilities shall be provided.
Neighbourhood Centre**	75%	Nil	Nil	Nil	Nil	Screening to service yards and waste management facilities shall be provided.
Local Centre	50%	Nil	Nil	Nil	5%	Screening to service yards and waste management facilities shall be provided.
Light Industry	50%	10	Nil	Nil	5%	Landscaping along street frontage will be required. The Landscaping requirement can be waived if an equivalent area of the verge adjacent to the front boundary (5% of site area) is landscaped and maintained to the satisfaction of the Shire.
Tourism Zone (Lots greater than 0.5ha)	30%*	30*	20*	20*	5%	Site specific development standards included in Schedule 9 prevail over the zone development standards included in this table.
Tourism Zone (Lots less than 0.5ha)	50%	5	5	Nil	5%	
Priority Agriculture	N/A	30*	20*	20*	N/A	See Schedule 7, clause 40 for additional setback requirements for the Priority Agriculture Zone.
Environmental Conservation	N/A	30*	20*	20*	N/A	An approved building envelope plan prevails over the setback requirements

* A 60m setback shall apply to development on the land within Visual Management 'Corridors' as identified in the Local Planning Strategy.

** Development in Witchcliffe is to be assessed against the Local Centre development standards

Schedule 5—Car Parking Table

Schedule 7, clause 1.

Land Use	Car Parking Requirements
Residential Uses	
Caretakers Dwelling	2 bays
Grouped Dwellings	In accordance with the Residential Design Codes.
Multiple Dwellings	In accordance with the Residential Design Codes.
Park Home Park	In accordance with the Residential Design Codes requirements for the equivalent dwelling classification.
Residential Building	1 bay for every 2 beds
Single House	In accordance with the Residential Design Codes.
Single bedroom dwelling	In accordance with the Residential Design Codes.
Ancillary Residential Uses	
Ancillary dwelling	In accordance with the Residential Design Codes.
Home Business	In accordance with the Residential Design Codes plus an additional bay for each employee not a resident of the dwelling.
Home Occupation	No additional parking required beyond Residential Design Code requirements for the dwelling.
Home Office	No additional parking required beyond Residential Design Code requirements for the dwelling.
Tourism Uses	
Tourist and Visitor Accommodation	1 bay per unit of accommodation plus 1 additional space for every 4 units for visitor parking 1 bus parking bay per 25 people
Caravan Park	1 bay per site plus 1 additional bay for every 4 sites for visitor parking.
Unhosted short-term rental accommodation	1 bay per bedroom used for accommodation. Grouped dwellings require a minimum of two bays
Hotel (accommodation component—separate required for bar areas below)	1 bay per unit of accommodation 1 bus parking bay per 25 people
Licensed Premises	
Brewery	1 bay per 7.5m ² of bar space (areas occupied by customers, excluding serving areas) or where determined by the Local Government—1 space per 7.5 patrons.
Hotel (licensed component)	1 bay per 7.5m ² of bar space (areas occupied by customers, excluding serving areas) or where determined by the Local Government—1 space per 7.5 patrons.
Liquor Store—Large	1 space per 30m ² nla
Liquor Store—Small	1 space per 30m ² nla
Nightclub	1 space per 4 persons the venue is designed to accommodate.
Small Bar	1 bay per 7.5m ² of bar space (areas occupied by customers, excluding server areas) or where determined by the Local Government—1 space per 7.5 patrons.
Tavern	1 bay per 7.5m ² of bar space (areas occupied by customers, excluding server areas) or where determined by the Local Government—1 space per 7.5 patrons.
Winery	1 space per 50m ²
Commercial Uses	
Amusement parlour	1 per 30m ² nla
Betting agency	1 per 30m ² nla
Bulky goods showroom	1 bay per 50m ² nla
Consulting Rooms	4 bays for each practitioner at any one time
Convenience store	2 spaces per service bay plus 1 space per 25m ² of nla
Fast food outlet/lunch bar	1 bay per 5 seats or 1 space per 30m ² nla whichever is greater
Funeral parlour	1 bay for every 4 persons the premises are designed to accommodate for family gatherings, memorial services and the like.
Garden Centre	1 bay per 50m ² of area used to display retail items
Market	1 space for 4 persons the event is intended to accommodate.

Land Use	Car Parking Requirements
Medical Centre	4 bays for each practitioner the premises are designed to accommodate at any one time
Motor Vehicle, Boat or Caravan Sales	1 bay per 50m ² of nla and where servicing facilities are incorporated, 2 spaces for each service bay.
Office	1 bay per 30m ² nla ground level 1 bay per 40m ² nla upper levels
Place of Worship	1 bay for every 4 persons the premises are designed to accommodate
Reception Centre	1 space for 4 persons the event is intended to accommodate. 1 Bus parking/pull in bays per every 25 people.
Restaurant/Cafe	1 bay per 5 seats
Restricted premises	1 bay per 30m ² nla
Service station	2 bays per service bay plus 1 bay per 25m ² of nla
Shop	1 bay per 30m ² nla
Trade Display	1 bay per 50m ² of nla
Warehouse/storage	1 bay per 50m ² nla up to 200m ² plus 1 bay per 100m ² above 200m ²
Industrial Uses	
Fuel Depot	1 bay per 50m ² of nla
Industry	1 bay per 50m ² of nla
Industry—light	1 bay per 50m ² of nla
Industry—primary production	1 bay per 50m ² of nla
Motor vehicle repair	2 bays per service bay plus 1 bay per 25m ² of nla
Trade supplies	1 bay per 50m ² nla
Transport depot	1 bay for each transport vehicle capable of being accommodated on site.
Waste Storage Facility	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.
Rural Uses	
Abattoir	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.
Animal establishment	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.
Animal husbandry—intensive	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.
Agriculture—extensive	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.
Agriculture—intensive	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.
Rural Pursuit/Hobby Farm	1 space per persons employed in the use additional to the owner/occupier.
Tree Farm	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.
Veterinary Centre	4 bays for each practitioner at any one time
Workforce Accommodation	1 bay for every 2 beds
Community Uses	
Art gallery	1 space per 40m ² of public floor areas plus 1 space per 40m ² of administrative floor space.
Child care premises	1 space per 5 children being accommodated on the premises. 1 pickup/drop-off bay per 10 children being accommodated on premises.
Cinema/theatre	1 bay per every 4 persons the venue is venue is designed to accommodate.
Civic use	1 bay per 25m ² nla
Club premises	1 space per 25m ² of floor space and 1 space per 40m ² administrative office space.
Community purpose	1 bay per every 4 persons or 4 seats the building is designed to accommodate.
Corrective institution	1 space per 40m ² of administrative floor space and 1 bay per every 8 persons the building is designed to accommodate.

Land Use	Car Parking Requirements
Educational establishment	Primary School— plus 1 space per employee or staff member; and 14 drop off bays per 100 students, Secondary School— 7 drop off spaces per 100 students, plus 1 space per employee or staff member; and 1: 25 years 12 students Adequate pick up and set down facilities and bus bays with turning facilities are also required to be provided on site. Tertiary/other— 1 space per employee or staff member plus one space per 4 students intended to be accommodated at any given time. Adequate pick up and set down facilities and bus bays with turning facilities are also required to be provided on site.
Exhibition centre	1 bay per every 4 persons the building is designed to accommodate.
Family Day Care	2 bays in addition to those required for the dwelling.
Hospital	1 bay per 4 patient beds plus 1 space per 40m ² of administrative floor space
Marina	1 space per berth or boat hard stand area.
Place of worship	1 bay per every 4 persons the building is designed to accommodate.
Recreation—private	1 bay per every 4 persons to be accommodated
Renewable energy facility	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.
Waste disposal facility	Sufficient parking space provided to accommodate the number of people employed in the use at any given time.

Schedule 6—Exempted Signage and Advertisements

Signs marked with an “E” in the schedule below are exempt from the need for development approval where they are consistent with the Shire’s Sign Policy. The display of more than three types of exempt sign on any one lot/building requires development approval.

Sign Type	Zone								
(see Local Planning Policy for details)	Residential	Rural Residential	Service Commercial	Town Centre	Village centre	Local Centre	Light Industry	Priority Agriculture	Reserves and Environmental Conservation
A1 Awning Sign			E(1)	E(1)	E(1)	E(1)	E(1)		
B1 Banner Sign			E(1)	E(1)	E(1)	E(1)	E(1)		
C1 Flag Sign							E(2)	E(2)	
C3 Flag Sign		E(2)		E(2)	E(2)	E(2)	E(2)	E(2)	
C6 Flag Bunting temporary			E	E	E	E	E	E	
D1 Wall Sign	E	E	E	E	E	E	E	E	E
D2 Wall Sign			E	E			E		
E1 Window Sign			E				E	E	
F1 Under Verandah			E(1)	E(1)	E(1)	E(1)	E(1)	E	
G1 Portable Sign			E(1)	E(1)	E(1)	E(1)	E(1)		E(1)
H1 Sign Illumination			E(1)	E	E	E	E(1)		
N1 Map Sign		E					E	E	E
P1 Construction Site	E(1)	E(1)	E(2)	E(1)	E(1)	E(1)	E(2)	E(2)	E(1)
P2 Construction Site			E(2)				E(2)	E(2)	
Q1 Real Estate Large		E(1)					E	E(2)	
Q2 Real Estate Std	E(2)	E(2)	E(2)	E(2)	E(2)	E(2)	E(2)	E(2)	E(2)
R1 Statutory Sign	E	E	E	E	E	E	E	E	E

Notes—

- (a) *Tourism Zoned sites and Special Use zoned sites will be considered as Town Centre in Urban areas or Priority Agriculture in Rural or Rural residential areas.*
- (b) *Numbers in brackets “(2)” means the number of signs that can be exempted.*

Schedule 7—Additional Site and Development Requirements

Additional Requirements that apply to land in Scheme area

1. Car Parking

- (1) Car parking is to be provided on-site in accordance with Schedule 5, or an applicable car parking strategy and constructed to Australian Standard A2890.1-2004 (as amended).
- (2) Car parking facilities shall generally be constructed to a sealed standard, unless the Local Government is satisfied that an alternative construction standard is appropriate having regard to the frequency of use and traffic volumes using the facility.
- (3) Car parking bays, vehicle manoeuvring areas, access ways and crossovers shall be maintained to the satisfaction of the Local Government.
- (4) Where a land use is not listed in Schedule 5, the number of car parking bays required is to be determined by the Local Government having due regard to the—
 - (a) nature of the proposed development;
 - (b) number of employees or others likely to be employed or engaged in the use of the land;
 - (c) anticipated demand for visitor parking;
 - (d) availability of on-street parking;
 - (e) method of transport that will be used to gain access to the development; and
 - (f) availability of public transport.
- (5) Where the proposed development is adjacent to on-street parking, the Local Government may approve a reduced number of bays to a maximum number of on-street bays directly adjacent to the subject land and having due regard to a to f above.
- (6) The Local Government may permit car parking bays to be accommodated within the road reserve adjacent to the proposed development. In considering a proposal, the Local Government shall take into account the width and function of the road; the ability of the road to accommodate the parking; and the ability of the development site to accommodate on-site parking.
- (7) In instances where car parking areas which accommodate 10 vehicles or more are developed, provision shall be made, to the satisfaction of the Local Government, for pedestrian movement systems through the parking areas concerned, to connect with other pedestrian movement routes in the locality.
- (8) The Local Government may, at its discretion, reduce the standard parking requirement by 10%, up to a maximum of 5 bays in the following circumstances—
 - (a) a developer prepares and commits to implement an active transport plan, to the satisfaction of the Local Government. The Active Transport plan is to detail how non-motorised forms of transport will be encouraged through the provision of 'end of trip facilities' such as bike parking, showers and lockers; or
 - (b) delivery of improved sustainability outcomes above and beyond the minimum requirements of a local planning policy; or
 - (c) provision of a dedicated car/bike charging station; or
 - (d) where dwellings are incorporated into the development, provision of an affordable housing outcome as defined in the Shire's affordable housing strategy.
- (9) Unless specified in Schedule 5, parking for land uses that accommodate more than 50 patrons/guests at one time shall provide a suitable area for bus parking unless it can be demonstrated that there is a suitable location within the vicinity of the proposal.
- (10) In the District Centre, Neighbourhood Centre and Local Centre zones, where properties have rear access via laneway or equivalent, access to parking areas shall be provided from the laneway to maximise active building frontage to the Primary/Main Street

2. Reciprocal and Shared Car Parking

- (1) For the purposes of this clause, reciprocal car parking is private parking which is shared between private land owners. Shared car parking is public parking (i.e. owned or vested in the Local Government) which is shared with, and forms part of a private development's parking provision.
- (2) The Local Government may exercise its discretion to permit a proportion of the total number of car parking bays required to be provided jointly with any one or more other premises within a location. In considering reciprocal and/or shared car parking, the Local Government will need to be satisfied that the car parking will be adequate to service the proposed development.
- (3) Reciprocal and/or shared car parking shall only be permitted where—
 - (a) car parking in the locality accommodates the deficit in required car parking bays; and
 - (b) the peak hours of operation of land uses sharing the car parking are different and do not substantially overlap; and
 - (c) that a legally binding agreement has been made to enable the reciprocal or shared car parking to be used for that purpose.

Note—

Where a reciprocal or shared car parking arrangement is proposed, the written consent of the property owner of the reciprocal or shared car parking facility must be in the form of a legally binding agreement between both parties that is prepared to the satisfaction of the Local Government, and at the applicant's/proponents' own cost.

3. Cash-in-lieu of car parking

- (1) The Local Government may agree to a cash payment in lieu of all, or part, of the required car parking bays.
- (2) A cash payment in lieu of providing car parking bays shall only be considered in locations where the following has been demonstrated—
 - (a) there is sufficient car parking in the locality; and
 - (b) a public car park exists or is planned in the locality that adequately services the car parking requirements of both the general public and the proposed development; and
 - (c) that a legally binding agreement has been made to enable the public car park to be used for the purpose of providing car parking for the proposed development on a permanent basis in accordance with subclause (b).
- (3) The cash-in-lieu payment shall not be less than the estimated cost of the following—
 - (a) constructing the car parking bays and associated manoeuvring areas (including sealing, kerbing and draining); and
 - (b) the value of the land on which the car parking bays and associated manoeuvring areas are to be located. The value of the land is to be determined by an appropriately qualified land valuer and to the satisfaction of the Local Government.
- (4) Cash-in-lieu payments shall be paid into a special purpose fund for the acquisition of land and construction of public car parking facilities within reasonable proximity to the subject land in respect of which a cash-in-lieu payment applied.

4. Service access

- (1) Where a land use or development involves the delivery or despatch of goods of any kind, a loading and unloading area will be required to be provided. The following requirements will apply to loading and unloading areas—
 - (a) delivery vehicles using the area must, unless otherwise approved by the Local Government, be able to enter the street in a forward direction.
 - (b) Loading and unloading areas to be located either inside of buildings or to the side and/or rear of the premises and separate from any public access areas.
 - (c) Where a road, right of way or rear laneway is used to gain access to the loading and unloading area on the lot, delivery vehicles servicing this area shall not obstruct the road, right of way or rear laneway.

5. Service courts

- (1) One or more service courts, as determined by the Local Government, shall be provided in any commercial or industrial development for the storage and concealment of refuse disposal bins, crates and other materials of trade. A service court shall be—
 - (a) accessible from any service access required by clause 4;
 - (b) of an area and dimension to the satisfaction of the Local Government but, in any case, shall not be less than 10m² in area; and
 - (c) screened to the satisfaction of the Local Government.

6. Landscaping

- (1) In considering the landscaping requirement of any application for development approval, the following shall apply—
 - (a) a landscaping area is to be provided on-site where required by, and in accordance with, Schedule 4;
 - (b) landscaping should be designed and located to improve the visual amenity of the development and should be generally located to the front of the development site to enhance the streetscape;
 - (c) the species of vegetation used for any landscaping shall be determined by the Local Government consistent with the objectives for the area;
 - (d) landscaping may be required to be fully reticulated and maintained to the satisfaction of the Local Government;
 - (e) a landscaping strip with a minimum width of 1.5 metres shall be provided between car parking areas and road frontages and incorporate water sensitive urban design measures;
 - (f) except for a change of land use of an existing development, on-site car parking areas within new developments are to be landscaped with shade trees planted at a rate of no less than 1 tree per 5 car parking bays. Species and sizes of trees are to be to the specifications of the Local Government. Shade trees are not attributable to the required area of landscaping set out at Schedule 4; and
 - (g) Landscaping in areas with a Bushfire Attack Level (29 and above) shall be designed using fire wise species to minimize ember attack.

7. Building Height

- (1) The maximum building height above natural ground level to the top of the ridge of the pitched roof of any such building or structure, is to be in accordance with Table 6.

Table 6 Building Height Standards

TYPE	Height Limit	Where applicable
A	8m	Shire Wide (with the exception of areas listed below)
A	10m	Town Centre Zone in Margaret River;
A	10m	Industrial and Service Commercial Zones
A	11m	Farm buildings other than dwellings, rural worker's accommodation and additional accommodation buildings or their outbuildings.
A	6.5m	Lots 71-75, 77 and 78 Oxley Place / Thomasia Court
A	7m	Lot 64 Thomasia Court / Lots 69 and 70 Oxley Place
B	7m	Lot 118 Orchid Ramble, Margaret River
B	6m	Flinders Bay Special Control Area
B	6m	Area zoned for Residential purposes bounded by the Hardy Inlet, Jackson Street, Pericles Street and Curtis Avenue, East Augusta.
B	6m	Land within the ASR1 Principal Ridge Protection Area and ASR 2 Ridge Landscape Amenity Area is subject to policies contained within the LNRSP and is limited to an absolute maximum height, and in particular cases will be required to be less than this height limit in order to meet the visual management and landscape protection requirements of the LNRSP and this Scheme.

- (2) The Local Government may, after following the advertising procedures set out at clause 64 of the Deemed Provisions, permit development in excess of the 'Type B' height limits specified where—
- site constraints are such as to prevent the construction of a reasonable building on the site without exceeding the relevant height limit; or
 - the nature of the proposed development is such that, to be functional, it must be built to a higher level; and
 - The Local Government is satisfied that the building height variation—
 - will be in harmony with the general character of buildings in the locality;
 - will not adversely affect the amenity of the locality, including character, landscape and environmental values;
 - will be compatible with its setting, including the relationship of the development to development on adjoining land, or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.
 - is not greater than 20% above the maximum building height specified in Table 6.
- (3) For the purpose of clause 7, the building height limit does not apply to a chimney, mast, telecommunications infrastructure, satellite dish (not exceeding a diameter of 4 metres), pole, wind turbine or signal receiving or transmitting tower. Notwithstanding, the proposed development is to be designed, sited and/or treated to ensure that it does not adversely impact the visual amenity of the locality, as determined by the Local Government.

8. Re-purposed and second-hand dwellings

- (1) A re-purposed dwelling or second-hand dwelling shall—
- be consistent with the character of the locality in which the development is proposed;
 - maintain the amenity of the locality in which the development is proposed;
 - comply with any development standards of this Scheme or any R-Code standards applicable to the development;
- (2) In considering the above, the Local Government will give particular consideration to the external appearance and materials used in the construction of the re- purposed dwelling or second-hand dwelling. The Local Government may advertise an application for development of re- purposed dwelling or second-hand dwelling pursuant to Clause 64 of the Deemed Provisions should development approval be required.

9. Parking of Commercial Vehicles in the Residential Zone

- (1) No person shall park a commercial vehicle within the Residential zone without the development approval of the Local Government. Where commercial vehicle parking is proposed it shall comply with the following—
- only one commercial vehicle is to be parked on the lot;
 - the commercial vehicle is required as an essential part of a resident's occupation;
 - the commercial vehicle is to be parked behind the front building line of the dwelling and effectively screened from view from outside the lot;
 - no part of the commercial vehicle is to be parked on any portion of a right- of-way or public road contiguous with the lot;

- (e) servicing (major or minor) of the commercial vehicle shall not be undertaken on the lot; and
- (f) the commercial vehicle shall not be brought to or taken from the lot between the hours of midnight and 6.00 am.

10. Home based businesses

- (1) In determining a development application for a home business, including but not limited to a home occupation or rural home business, the Local Government may impose conditions relating to the following matters—
 - (a) the home business to be conducted only between the hours of 8.00am and 6.00pm on weekdays, 9.00am and 5.00pm on Saturdays and is not conducted on Sundays and public holidays;
 - (b) the size and type of any vehicle used in connection with the home business and where such a vehicle may be parked;
 - (c) any activities incidental to the home business including the storage of goods and/or equipment on the subject land; and
 - (d) for the purpose of monitoring the impact of a home business the development approval may be granted for a limited period of up to twelve months.
 - (e) not have more than one advertising sign and the sign displayed does not exceed 0.2sqm in area.

11. Development adjoining Primary Distributor Roads

- (1) In considering an application for development approval in respect of land adjoining Primary Distributor Roads, the Local Government shall refer the application to Main Roads Western Australia for consideration and comment where new access arrangements are proposed, existing access is being altered or a use will generate an increase in traffic. The Local Government shall have due regard to any comments received from Main Roads Western Australia.

12. Caretaker's dwelling

- (1) A caretaker's dwelling shall—
 - (a) be limited to one caretaker's dwelling per lot, excluding lots within a strata scheme;
 - (b) be limited to a maximum gross floor area of 200m²; and
 - (c) be located to minimise any amenity impacts from noise, dust, odour and light spill from the predominant land use.
- (2) The Local Government will not support the subdivision of land that will result in a caretaker's dwelling being located solely on its own lot, separate from the predominant land use.
- (3) The Local Government will refuse to grant development approval for a caretaker's dwelling prior to the predominant land use being either approved or constructed/operational.

13. Tree Farms

- (1) Applications for development approval of tree farms are to include—
 - (a) Submission of a plantation management plan in accordance with the protocol in the Code of Practice;
 - (b) Provision and implementation of an adequate bushfire management plan to the satisfaction of the Local Government;
- (2) The following matters are to be considered when determining applications for development approval of tree farms—
 - (c) The Code of Practice for Timber Plantations in Western Australia 2006 as amended from time to time ('Code of Practice');
 - (d) The Guidelines for Plantation Fire Protection or subsequent document, as amended from time to time;
 - (e) protection of existing waterways, vegetation corridors, agricultural production, and mitigation of wind erosion, waterlogging and salinity;
 - (f) Land use compatibility and the location of the tree farm in relation to land zoned and/or planned for residential, industrial and commercial uses;
 - (g) The suitability of the current and future road network, particularly in regard to any future intended logging operations.
- (3) The Local Government will consult with the Department of Primary Industries and Regional Development and have due regard to the advice and recommendations on any application for development approval for tree farms.

14. Dams

- (1) All applications for development approval for dams which seek to—
 - (a) reduce or are likely to reduce the natural flow of any waterway; or
 - (b) direct any storm water, other water or liquid from any source to any waterway or wetland,will only be permitted where it can be demonstrated, to the satisfaction of the Local Government, that there will be no adverse impacts on the waterways or wetland and/or environment of the area within which the development is proposed.
- (2) The Local Government in determining applications for the construction of dams will consider any advice provided by Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.

- (3) The Local Government may impose a condition requiring the installation of a low flow bypass to a dam to ensure environmental flows are maintained within the catchment.
- (4) The Local Government may impose a condition requiring the area surrounding any approved dam to be vegetated with endemic species in order that it can perform a habitat function.
- (5) Dams will not be approved unless it can be demonstrated that they are needed to support an approved agricultural use.
- (6) Following dam construction, residual earthworks and spoil shall not be left in the setback area between boundaries or stockpiled on site. Where residual spoil from dam construction is to be retained on site it shall be respread or reused on the subject site in such a way as to not cause an adverse visual impact, erosion, silt run-off, drainage issues or a nuisance to neighbours.

15. Waterways and Wetlands

- (1) The following development setbacks apply to waterways outside of the Residential Zone—
 - (a) 100m in the case of 'Animal Husbandry—Intensive' or 'Agriculture - Intensive' and 30m for all other development; or
 - (b) a lesser setback may be considered where it can be demonstrated that the proposed development will not have an adverse impact on the adjoining waterway and its associated water quality. Consideration of a lesser setback will be undertaken in consultation with the Department of Water and Environmental Regulation.
- (2) Native vegetation within the waterway or wetland setback area shall be maintained;
- (3) Development that—
 - (a) Reduces or is likely to reduce the natural flow of any waterway; or
 - (b) Direct any storm water, other water or liquid from any source to any waterway or wetland, will only be permitted where it can be demonstrated, to the satisfaction of the Local Government, that there will be no adverse impacts on the waterway or wetland and/or environment of the area within which the development is proposed.
- (4) In considering any application for subdivision or development, the Shire may recommend, or impose, conditions of approval to require that land within the setback from a waterway or wetland as specified in clause 15(1) be—
 - (a) rehabilitated as appropriate (including revegetation, weed control and stabilisation to minimise stormwater runoff and erosion), within a specified period;
 - (b) for subdivision proposals, the land to be ceded and included in a foreshore reserve where contiguous with other areas of foreshore reserve; or
 - (c) Suitably fenced to prevent stock entering the waterway setback area.

16. Significant Tree Register

- (1) The Local Government, having due regard to—
 - (a) the historical, cultural heritage or ecological significance of a tree;
 - (b) the amenity or aesthetic quality of a tree;
 - (c) the rarity of a tree;
 - (d) any other characteristic which in the opinion of the Local Government makes the tree worthy of preservation;
 - (e) the advice of any relevant statutory, public or planning authority; and
 - (f) any submissions received,may establish and maintain a Significant Tree Register to identify trees within the scheme area that are worthy of preservation.
- (2) An entry into the Significant Tree Register may be made in respect of an individual tree, a group of trees, or an area which contains trees.
- (3) The Significant Tree Register must—
 - (a) set out a description of each tree, its location and the reason for its entry in the Significant Tree Register; and
 - (b) must be available for public inspection during business hours at the offices of the Local Government; and
 - (c) may be published on the website of the Local Government.
- (4) The Local Government must not enter a tree(s) or area in; remove a tree(s) or area from; or modify an entry in the Significant Tree Register unless the Local Government—
 - (a) notifies in writing each owner and occupier of the land which contains the tree(s) or area and provides each of them with a description of the tree(s) and the reason for its proposed entry; and
 - (b) invites each owner and occupier to make submissions on the proposal within 21 days of the day on which the notice is served or within a longer period specified in the notice; and
 - (c) carries out any other consultation the Local Government considers appropriate; and
 - (d) following any consultation and consideration of the submissions made on the proposal, resolves that the tree(s) or area be entered into, removed from or entry modified in the Significant Tree Register.

- (5) If the Local Government enters an area or tree(s) in the Significant Tree Register or modifies an entry in the Significant Tree Register, the Local Government must give notice of the entry or modification to each owner and occupier of the land which contains the area or tree(s).
- (6) The Local Government's prior development approval is required to clear a tree(s) contained within the Significant Tree Register except where that tree(s)—
 - (a) presents an immediate risk of personal injury or damage to property;
 - (b) must be cleared where necessary and only to the extent necessary—
 - (i) for the purposes of fire prevention or for access for public services or utilities; or
 - (ii) for the commencement or carrying out of development in accordance with a development approval granted under Part 9 of the Deemed Provisions; or
 - (iii) for the carrying out of any condition of subdivision approval for which approval is deemed to be given under Part 10 of the *Planning and Development Act 2005*; or
 - (iv) where expressly required by the terms of a written law.
- (7) In considering an application for development approval to clear a tree(s) which is on the Significant Tree Register, the Local Government is to have due regard to—
 - (a) the significance of the tree(s) taking into account the matters listed in clause (1)(a)–(e) and the information contained within the Significant Tree Register;
 - (b) the effect of any revegetation program or any imposed or proposed revegetation condition associated with the development application;
 - (c) any advice received from a relevant statutory, public or planning authority; and
 - (d) any advice or recommendations contained within an arboriculturist report, which is to be prepared at the full cost of the applicant.
- (8) Any person who fells a tree that is within a Significant Tree Register without the prior approval of the Local Government, contravenes the provisions of the Scheme.

17. Environmental Protection Land Clearing

- (1) All land clearing requires the prior development approval of the Local Government, with the exception of the following—
 - (a) any clearing, including the provision of firebreaks, that is authorised under the *Bush Fires Act 1954* (as amended);
 - (b) clearing where a building permit has been issued and no development approval for the building is required;
 - (c) any vegetation that is dead, or certified as dangerous by a qualified arborist;
 - (d) any clearing of vegetation not native to Western Australia;
 - (e) clearing for farm management purposes within the Priority Agriculture zone in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (as amended);
 - (f) the lopping of native vegetation for stock fodder in any period of declared drought if the continued health of the vegetation is not affected;
 - (g) any clearing carried out in accordance with an approved Bushfire Management Plan;
 - (h) the clearing of any vegetation planted for the purposes of harvesting including farm forestry;
 - (i) any clearing of vegetation that has been designated as a noxious weed under the *Agriculture Act 1988* (as amended);
 - (j) minor pruning of vegetation for maintenance purposes which does not endanger the life of that vegetation;
 - (k) the removal of vegetation to meet an acceptable Bushfire Attack Level under AS3959 for an approved dwelling, whether or not that dwelling is on the same lot;
 - (l) clearing upon residential lots less than 2000m² in size; and
 - (m) minor clearing upon residential zoned lots to facilitate use incidental to the residential occupation of the land.

These exemptions do not apply where vegetation is specifically protected by way of a landscape protection designation, identified as a habitat tree or similar by a Structure Plan, Local Development Plan, Tree Preservation Order or any other provision of the Scheme.

- (2) Wherever suitable alternatives exist, development is to be located outside of areas which would require the removal of vegetation.
- (3) Where suitable alternatives do not exist, the Local Government may require a flora and fauna study to determine locations on the site where development could occur with the least possible impact.
- (4) Where the removal of vegetation is required, the Local Government may require that offset planting be undertaken by the proponent. Offset planting shall be an equivalent area of land to be revegetated with native vegetation indigenous to the locality on the land the subject of the application, or on public land managed by the Local Government or with the consent of the landowner(s) on other land in their ownership to ensure that there is no net loss of native vegetation to the Local Government. Offset planting shall be protected in perpetuity through a conservation covenant or equivalent legal instrument where located on land that is not on the subject of the application.

- (5) The Local Government may refuse to grant development approval if the removal of vegetation, in the opinion of the Local Government, would result in a deleterious environmental, amenity or landscape impact.

18. Environmental Assets

- (1) Proposals which have the potential to impact upon identified environmental features (see Table 7) are to be accompanied by proposed management mechanisms designed to avoid impacts, achieve the identified objectives and to protect environmental features on the site.

Table 7

Environmental Assets—Features and Objectives

Feature	Objective
Environmental Corridors	Maintain and strengthen contiguous belts of vegetation throughout the Shire to serve a habitat function and accommodate the movement of wildlife.
Remnant Vegetation	Preserve and protect isolated stands of endemic vegetation.
Waterways	Maintain water quality, avoid eutrophication and enhance the habitat function of waterways.
Wetlands	Maintain water quality, avoid eutrophication and enhance the habitat function of wetlands.
Western Ringtail Possum Habitat Areas	Protect species at risk of extinction through tailored development controls and conditions to preserve and maintain habitat.
Carnaby Cockatoo and Baudin Cockatoo Breeding Areas	Protect species at risk of extinction through tailored development controls and conditions to preserve and maintain habitat.
Burrowing Crayfish Habitat Area	Protect species at risk of extinction through tailored development controls and conditions to preserve and maintain habitat.
White Bellied Frog Habitat Area	Protect species at risk of extinction through tailored development controls and conditions to preserve and maintain habitat.

- (2) The Local Government may refuse to grant development approval if the proposal would result in a deleterious impact on the features identified by Table 7.

19. Street Trees

- (1) Placement of crossovers and vehicle access points are to be located so as to avoid the removal of street trees.
- (2) Where no alternative options exist, street trees may be removed where replaced with a tree of equivalent size to the satisfaction of the Local Government.

20. Landscape protection

- (1) Development in areas with landscape qualities of ‘natural landscape significance’, as identified by the Local Planning Strategy, shall maintain the existing natural aesthetic. The Local Government may require landscaping utilising plant species endemic to the area to screen development from viewing locations, including visual management ‘corridors’ identified by the Local Planning Strategy. Public recreation or safety facilities may be allowed to be seen in the foreground if necessary.
- (2) Where development may impact upon areas having landscape qualities of ‘rural landscape significance’, as identified by the Local Planning Strategy, development is to be sufficiently setback from boundaries to maintain existing open landscape and views from Visual Management ‘Corridors’.
- (3) Development subject to visual management controls identified in the Local Planning Strategy must not use colours with a solar absorbance rating less than or equal to 0.4. The use of colours with a solar absorbance rating less than or equal to 0.4 may be considered for roofs where it can be demonstrated that this will have a negligible visual impact off site.
- (4) Within Visual Management ‘Areas’ as defined by the Local Planning Strategy, the Local Government will require that development be located on lower contours, to avoid ‘skylining’. Vegetated backdrops may be required to be planted where they will lessen visual impact.
- (5) Development upon ‘Visually Sensitive Sites’ as identified by the Local Planning Strategy must be designed to minimise visual impacts by employing mitigating controls such as—
- Screen landscaping;
 - Setbacks;
 - Appropriate scale;
 - Low intensity of land uses.
- (6) The Shire may, at its discretion request a Visual Impact Assessment prepared by a suitably qualified person in accordance with the ‘Visual Landscape Planning in Western Australia’ manual to demonstrate to the satisfaction of the Local Government that a proposal will not lead to an adverse visual impact.

21. Building Envelopes and Spatial arrangement of buildings on a site

- (1) Where a building envelope is shown on a plan referenced at Schedule 7 or Schedule 8, listed within an endorsed local planning policy, or implemented as part of environmental conservation subdivision, development, is to be located within the approved building envelope.
- (2) The Local Government may approve a variation to, or relocation of the building envelope, subject to advertising in accordance with clause 64 of the Deemed Provisions, provided in each case it is satisfied that—
 - (a) the objectives of the zone are not compromised;
 - (b) the visual amenity and rural character of the locality will not be affected to any greater degree by development within the proposed new building envelope to that which might have occurred within the building envelope as originally proposed;
 - (c) development within the proposed new building envelope will not render the protection of the property from the risk of bushfire any more difficult to achieve than would be the case with the approved building envelope; and
 - (d) the proposed size and location of the envelope can accommodate future development, and not have a detrimental effect on the environment.
- (3) Minor development including underground effluent disposal systems may be permitted outside a building envelope where the setbacks set out at schedule 4 are achieved, and the requirements of subclause 2 (a-c) are achieved.
- (4) Where a building envelope is not in place in accordance with clause 21(1), dwellings and incidental development in the Environmental Conservation and Rural Residential zones must be clustered together in an area of the site that—
 - (a) does not exceed 10% of the lot area, or 2,000m² whichever is the lesser;
 - (b) complies with the minimum setback requirements of Schedule 4 of this Scheme and any setback requirements of an applicable bushfire management plan;
 - (c) minimises the removal of remnant vegetation, provides a suitable area for on-site effluent disposal (if applicable), achieves an acceptable BAL rating and minimises erosion and;
 - (d) minimises the visual prominence of future buildings and accords with the landscape protection requirements outlined at clause 20.

22. Effluent Disposal

- (1) Sewage is to be disposed of via a reticulated sewerage scheme, or where deemed appropriate by the relevant decision-maker, via an on-site sewage disposal system.

23. Water Supply

- (1) Where a reticulated water supply network is available, all development requiring potable water is to connect to the supply.
- (2) Where a reticulated water supply network is not available—
 - (a) each dwelling shall be provided with a minimum 120,000 litre water storage tank in addition to any requirements of an applicable bushfire management plan; and
 - (b) the following water supply is required in addition to that stipulated at 24(2)(a) for properties greater than 1100m² in size where they are located within a bushfire prone area, and have a BAL level above BAL LOW—
 - (i) a separate, dedicated static water supply of no less than 10,000 litres is to be provided and fitted with an appropriate gate valve to enable firefighting appliances to draw water for firefighting purposes; or
 - (ii) Additional water supply as stipulated in an applicable bushfire management plan for that property.
 - (c) for all other uses, where applicable, potable water shall be provided to the satisfaction of the Local Government.

24. Mining Operations

- (1) Whilst Mining Operations are exempt from the need for development approval under the *Mining Act 1978*, the Local Government may exercise its discretion to inform the Minister for Mines and the Minister for Planning in writing that the granting of a mining lease or general purpose lease is contrary to the provisions of the Scheme and the Local Planning Strategy. In providing advice to the Minister for Mines on the suitability of Mining Operations, the Local Government will be guided by the permissibility of this use in the zoning table.

25. Signage and Advertisements

- (1) All advertisements require an application for development approval, unless exempted by Schedule 6—Exempted Advertisements of this Scheme.
- (2) Advertisements that advertise goods or services which are not produced, displayed or offered for sale, or which is otherwise not relevant to, the land upon which the advertisement is located, are prohibited.

26. Coastal erosion and inundation risk

- (1) Subdivision and development is to comply with the provisions of *State Planning Policy 2.6—State Coastal Planning Policy*.
- (2) Where subdivision or development is approved on a lot which is identified as subject to coastal erosion and/or inundation over the next 100 years a notification may be placed on the title of the lot alerting owners of the risk.

27. Development of Chalets

- (1) Except as may otherwise be approved by the Local Government or provided within the Scheme, the total floor space of any chalet in any zone shall not exceed 150 square metres.
- (2) Permanent occupation of a chalet as a dwelling is prohibited by the Scheme.

28. Development of Unhosted short-term rental accommodations

- (1) Applications for development approval for unhosted short-term rental accommodations will be required to demonstrate to the satisfaction of the Local Government that unhosted short-term rental accommodation activity will be managed so as to ensure that it will not cause nuisance or annoyance to the owners of adjoining or nearby properties.
- (2) The Local Government may require the provision of additional parking areas to be provided onsite over and above those required for residential uses under the Residential Design Codes.
- (3) Unless the Local Government determines otherwise, any approval granted for such a development will be granted for a limited period of one year renewable by way of further application towards the expiration of that period. If the Local Government has received complaints regarding the unhosted short-term rental accommodation activity, a further approval may not be granted.
- (4) Unhosted short-term rental accommodations are generally considered appropriate within coastal communities of the Local Government area or within close proximity to District and Neighbourhood Centres but are not considered to be appropriate within the residential districts of inland settlements.

29. Design Review

- (1) The Local Government may appoint a Design Review Panel for the purpose of considering and advising the Local Government with respect to applications and/or planning documents.
- (2) The Local Government shall prepare and adopt a Local Planning Policy in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* that details the operation of the Design Review Panel and specifies the matters on which the Design Review Panel will be consulted.
- (3) When considering applications and/or planning documents on which a recommendation has been made by the Design Review Panel, the decision-maker shall have due regard for that recommendation.

Zone Development Standards**30. General Zone Development Requirements**

- (1) Subdivision and development in the Urban Development zone shall be in accordance with a structure plan prepared and approved in accordance with Part 4 of the Deemed Provisions, unless the proposed subdivision and development is approved by the decision-maker in accordance with Part 4, clause 27(2) of the Deemed Provisions.

31. Urban Development Zone Requirements

- (1) Subdivision and development in the Urban Development zone shall be in accordance with a structure plan prepared and approved in accordance with Part 4 of the Deemed Provisions, unless the proposed subdivision and development is approved by the decision-maker in accordance with Part 4, clause 27(2) of the Deemed Provisions.
- (2) Where applicable, Local Structure Plans that are prepared within the East Margaret River District Structure Plan Area shall have due regard to the District Structure Plan and the Hamlet Design Guidelines.

32. Residential Zone Requirements

- (1) All development within the Residential Zone shall comply with the relevant provisions of the Residential Design Codes.

R2.5 and R5 Code

- (2) The following requirements apply to the development of R2.5 and R5 coded land within the Residential Zone—
 - (a) side boundary setbacks to dwellings shall be 5 metres unless the Local Government, following consultation with affected adjoining owners, otherwise approves. Development located behind the dwelling, including outbuildings is subject to the setback requirements of the R-Codes.

33. Rural Residential Zone Requirements

- (1) Land uses and development within this zone shall comply with the following general provisions and where appropriate with the site-specific conditions relevant to particular land areas nominated in Schedule 8. In the event of any conflict between the provisions of clause 33 and the site-specific provisions of Schedule 8, the provisions of Schedule 8 shall prevail.
- (2) The construction and use of an outbuilding or outbuildings is not permitted other than where a dwelling exists on, or where an approved dwelling is under construction on the same lot.
- (3) Outbuildings shall be designed and constructed, in a manner consistent with the dwelling located on the site and be clustered together with that dwelling, unless used for the purposes of keeping of livestock.
- (4) Each dwelling must have a water storage tank as required by clause 23, unless connected to a reticulated scheme water supply.
- (5) All fencing within this Zone shall be visually permeable, unobtrusive and sensitive to the objective of maintaining the rural character and visual amenity of land within the Zone. Solid fencing is prohibited.
- (6) Applications for proposed agricultural-intensive uses within the Rural-Residential Zone will need to demonstrate to the satisfaction of the Local Government that they will not have a detrimental impact on the environment, rural character and amenity of the locality. Agriculture-intensive activities shall be provided setback distances from boundaries to the satisfaction of the Local Government relevant to the type of use concerned and its likely impact upon adjoining properties.
- (7) Ancillary Dwellings in the Rural Residential Zone—
 - (a) are limited to one only per lot or strata lot;
 - (b) shall be limited in floor area to 120m²; and
 - (c) shall be clustered together with the principal dwelling in one location on the property with all relevant services shared.
 - (d) siting, design and materials used on the external surfaces of such buildings shall ensure that their impact upon the character, amenity and landscape values of the area is minimised.
- (8) The keeping of livestock at a density exceeding the stocking rate as recommended by the Department of Primary Industries and Regional Development, is prohibited on any lot within the Rural-Residential Zone.
- (9) The keeping of livestock is prohibited where their presence contributes or is likely to contribute to erosion, pollution or degradation of land or where it is otherwise specifically excluded by the scheme.

Subdivision

- (10) The minimum lot size is 3 hectares unless specified in Schedule 8.
- (11) Where lots abut the Margaret River, the Shire will recommend that foreshore widening be imposed as a condition of subdivision where recommended by the Margaret River Foreshore Reserve Action Plan.
- (12) Where a Bushfire Management Plan has been prepared, as part of the planning processes to establish a rural-residential area, the owners of the land affected by the Bushfire Management Plan will be responsible for the ongoing implementation of their bushfire management responsibilities as specified in that Plan.

34. Service Commercial Zone Requirements

- (1) Development proposals for land within the Service Commercial Zone will be considered having regard to—
 - (a) the nature of the use and development on nearby properties;
 - (b) the likely impact of the proposed development on the streetscape and the appearance of the development when viewed from the street;
 - (c) the impact on nearby properties in terms of amenity and character of established land uses and development; and
 - (d) where land uses not contained within buildings are proposed, the degree to which the activities on the site will impact upon or be compatible with land uses and development on nearby properties.
- (2) The Local Government may require that a development application is accompanied by a waste management plan which details—
 - The type and quantity of waste likely to be generated
 - Adequate location(s) on site for the temporary storage of waste
 - Methods for removing waste from the site with a focus on waste minimization, re-use and recycling.

35. District Centre Zone Requirements

- (1) Notwithstanding the provisions of Table 3—Zoning Table, fast food outlets or other land uses that include a ‘drive-through service’ are not permitted on those lots having frontage to Bussell Highway.
- (2) Multiple Dwellings will only be supported where they form part of a mixed-use development on the same lot, with commercial components of the development forming a continuous commercial frontage at street level.
- (3) Multiple Dwellings within the District Centre zone shall comply with the development controls of SPP 7.3 (volume 2) applicable to the R60 density code.
- (4) Subdivision will only be supported where it can be demonstrated that the resultant lots are capable of being developed for a wide variety of commercial uses.
- (5) When making a recommendation to the Commission in respect of the amalgamation of District Centre zoned land, the Local Government will not support the amalgamation unless the following can be demonstrated—
 - (a) Resultant lots will not facilitate large scale commercial development inconsistent with the established character of the area; and
 - (b) The lots will provide for improved coordination of access or parking across several small scale tenancies.
- (6) Buildings within the District Centre zone(s) shall be designed to address the following design principles set out in State Planning Policy 7.0 as follows—
 - context and character;
 - landscape quality;
 - built form and scale;
 - functionality and build quality;
 - sustainability;
 - amenity;
 - legibility;
 - safety;
 - community; and
 - aesthetics

The Local Government may request that a proponent provide a design statement to accompany any application for development to confirm adherence of the design with the design principles.

- (7) Development located on corner sites should incorporate landmark design elements to ensure the building is visually prominent in the streetscape to provide a sense of place.
- (8) Plant and infrastructure located on rooftops are to be unobtrusive where viewed from the street or publicly accessible areas (e.g. public open space);
- (9) The Local Government may request that a proponent provide sufficient information to confirm that a development proposal is capable of meeting the access and mobility requirements of the section of the National Construction Code and Australian Standards.
- (10) Where the Local Government requires the provision of car parking as a consequence of any non residential development, the carparking shall be available to the general public.
- (11) The Local Government may require that a development application is accompanied by a waste management plan which details—
 - The type and quantity of waste likely to be generated
 - Adequate location(s) on site for the temporary storage of waste
 - Methods for removing waste from the site with a focus on waste minimization, re-use and recycling.
- (12) Development involving a structure in excess of 2 storeys, shall present as a two storey building to the street with any additional storeys being setback no less than 3.6 metres from the front of the lower storeys.

36. Neighbourhood Centre and Local Centre Zone Requirements

- (1) Buildings within the Neighbourhood Centre and Local Centre zones shall be designed to address the unique character, streetscape and sense of place of each settlement to which the Neighbourhood Centre and Local Centre Zone applies, and where applicable the requirements of a townsites strategy.
- (2) New development within the Neighbourhood Centre and Local Centre zones shall have due regard to the siting, design and external appearance of development on adjoining or nearby land and shall be compatible with the general character and form of development in the area.
- (3) Multiple Dwellings will only be supported where they form part of a mixed-use development on the same lot, with commercial components of the development forming a continuous commercial frontage at street level.
- (4) Multiple Dwellings within the Neighbourhood Centre and Local Centre zones shall comply with the development controls of SPP 7.3 (volume 2) applicable to the R60 density code.

- (5) The Local Government may require that a development application is accompanied by a waste management plan which details—
 - The type and quantity of waste likely to be generated
 - Adequate location(s) on site for the temporary storage of waste
 - Methods for removing waste from the site with a focus on waste minimization, re-use and recycling.
- (6) Residential development of properties other than mixed use development shall demonstrate that the design and layout of development will not compromise the ability for commercial development to occur in the future;
- (7) Residential development of properties other than mixed use development will be assessed against the R-Code requirements that correspond to the lot area of the site.

37. Light Industry Zone Requirements

- (1) Primary and secondary street setback areas shall be used only for the following purposes—
 - (a) an access driveway;
 - (b) parking areas, including the daily parking of vehicles by employees and customers;
 - (c) loading and unloading of vehicles;
 - (d) trade display; and
 - (e) landscaping.
- (2) Setback areas shall not be used for the parking of vehicles which are being wrecked or repaired, the storage of materials, products, by-products or wastes or the storage of fuel, except in underground fuel tanks.
- (3) A trade display may be conducted within the primary and secondary street setback areas, where the trade display—
 - (a) does not occupy more than one-fifth of the area of the street setback within which it is proposed to be located;
 - (b) is not located closer than 1.5 metres to a road reserve; and
 - (c) in the opinion of the Local Government, the trade display will not adversely impact the streetscape or the amenity of the locality.
- (4) Land uses within this zone not required to be housed in buildings shall be so designed and laid out on the land as not to detract from the visual amenity of the street and where open storage of goods and materials is proposed on the land they shall, subject as many otherwise be approved by the Local Government, be screened from view from the street or other public viewpoints.
- (5) Where a non-industrial land use is approved, it shall not impact on the lawful functioning of surrounding and existing industrial land uses and shall be required to make provision for mitigation of any perceived nuisance effects caused by surrounding uses.
- (6) The Local Government may require that a development application for industrial development is accompanied by a waste management plan which details—
 - The type and quantity of waste likely to be generated
 - Adequate location(s) on site for the temporary storage of waste
 - Methods for removing waste from the site with a focus on waste minimization, re-use and recycling.
- (7) Where a development is likely to generate contaminants capable of being transported via stormwater, the Local Government will require a stormwater management plan which is to demonstrate that stormwater will be of acceptable quality when discharged to the receiving environment.

38. Industrial Development Zone Requirements

- (1) Subdivision and development in the Industrial Development zone shall be in accordance with a structure plan prepared and approved in accordance with Part 4 of the Deemed Provisions, unless the proposed subdivision and development is approved by the decision-maker in accordance with Part 4, clause 27(2) of the Deemed Provisions.

39. Tourism Zone Requirements

- (1) Despite anything contained in the zoning table, the land specified in Schedule 9 may only be used for the specific use or uses that are listed and subject to the conditions set out with respect to that land, unless the use is considered to be of a minor and incidental nature which will not detract from the predominant use of the site.
- (2) Tourism development is to be consistent with the carrying capacity and sustainability requirements of the Local Tourism Planning Strategy.
- (3) Development applications for tourism development are to be accompanied by information addressing each of the Tourism Development Policy Guidelines included in the Shire's Local Planning Strategy.
- (4) The subdivision of land, including strata titling, will only be supported by the Local Government where it can be demonstrated that it is necessary to achieve the strategic tourism objectives articulated in the Local Tourism Planning Strategy.
- (5) The allowable extent of residential development on any Tourism zoned lot shall be determined having regard for the Local Planning Strategy and any applicable WAPC policy.

- (6) Tourism development that incorporates accommodation and/or reception facilities shall include provision for an onsite manager.
- (7) Proposals for offices and reception centres in the Tourism Zone will only be considered where they are incidental to, and support the proposed tourism use on the site.

40. Priority Agriculture Zone Requirements

- (1) There is a general presumption against the further subdivision of land in the Priority Agriculture zone. Subdivision will only be considered in accordance with the limited circumstances set out in the Western Australian Planning Commission's Development Control Policy 3.4: Subdivision of rural land.
- (2) Unless otherwise expressly permitted by the Scheme, only one dwelling is permitted on any lot.
- (3) Where two or more agricultural lots are amalgamated, the resultant lot may be developed with the same number of residential dwellings as would previously be allowed on the pre-existing lots.
- (4) With the exception of Farm Buildings, Rural Workers Accommodation and Chalets, development within the Priority Agriculture zone shall be clustered together on the site with all relevant services shared and be in accordance with the development standards included in Schedule 4.
- (5) Intensive agricultural uses shall be setback 100 metres from a boundary, or reduced to 20m where 10 metres of the setback area is densely landscaped to mitigate against spray drift.
- (6) Intensive agricultural uses shall be setback 100 metres from the Margaret, Blackwood and Scott Rivers and Hardy Inlet or 30 metres from any natural waterway that flows intermittently. These may be reduced, provided that a suitably wide foreshore buffer is fenced and rehabilitated with endemic species. The minimum width of any such buffer shall be 10m either side of the waterway or areas of seasonal inundation.
- (7) Applications for intensive agricultural uses are to be accompanied by confirmation that sufficient quantities of water are or can be made available without compromising environmental flows.
- (8) Rural Workforce Accommodation may be considered where the Local Government is satisfied of sufficient intensity and scale of agricultural use being undertaken on a lot. Where multiple accommodation units are required, the form of a Work Force Accommodation development shall be distinct from a Single House and consist of dormitory accommodation units with shared facilities located in close proximity to the main dwelling on site.
- (9) In the interests of preserving original farmhouses, workers accommodation may be provided through the adaption of original farmhouses on a site.
- (10) Work Force Accommodation is required to meet the following criteria—
 - (a) the lot, excluding any lots created under the *Strata Titles Act 1985* (as amended), has an area greater than 20 hectares; and
 - (b) Sufficient potable water supply is or can be made available; and
 - (c) Located and/or designed so as to avoid adverse visual impacts on the rural landscape and conflicts with agricultural production on the subject lot or on adjoining land; and
 - (d) the total number of dwellings on the lot (excluding any Ancillary Dwelling but including all Dwellings and workforce accommodation) will not exceed 2.

41. Non Rural Use and Development in the Priority Agriculture Zone

- (1) Non-rural uses, including tourism uses, may only be permitted where agricultural use of the land is existing and maintained, with non-rural uses being incidental to and having a functional relationship with the predominant agricultural use on site.
- (2) Non-rural use and development shall incorporate measures to address any risk of land use conflict in order to protect the primacy of agricultural production within the zone. Such measures shall be undertaken by a proponent and not adversely affect agricultural activity on the subject or adjoining lots.
- (3) Where a non-rural development satisfies clause 41(1), development is to—
 - (a) Be sited in areas of lower agricultural capability on site;
 - (b) Be located in such a way as to not prejudice the ongoing or future potential agricultural use of the lot or adjoining lots, including suitable setbacks to maintain appropriate spray drift and noise buffers;
 - (c) Incorporate management measures to prevent visitor interference with working agricultural operations
- (4) Non rural development is to be designed and located so as to be in keeping with the rural aesthetic of the zone.

42. Tourism Development in the Priority Agriculture Zone

- (1) Notwithstanding clause 41 (1), tourism development may be permitted on a lot that is substantially vegetated and where that vegetation can be protected on an ongoing basis.
- (2) All tourism development is to meet the requirements of 'low impact development' as defined by this Scheme.
- (3) Notwithstanding the Zoning Table, tourist and visitor accommodation is not permitted on lots having an area of less than 5 hectares.

- (4) Tourist and visitor accommodation (limited to chalets and cabins only) on lots having areas between 5 hectares and 20 hectares within the Priority Agriculture Zone shall not exceed 2 chalets/cabins, or in the case of a camping ground 4 caravan/camping bays.
- (5) Tourist and visitor accommodation (limited to chalets and cabins only) on lots having areas greater than 20 hectares within the Priority Agriculture zone shall not exceed 6 chalets/cabins, or in the case of a camping ground 12 caravan/camping bays.
- (6) Where a combination of chalets and caravan/camping bays are proposed, 1 chalet is equivalent to 2 caravan/camping bays for the purposes determining compliance with clause 42(4) and (5).
- (7) Where tourism development is proposed on conservation lots prior to rezoning to the Environmental Conservation zone, development shall be in accordance with the objectives set out in the Environmental Conservation Zone.

43. Ancillary Dwellings in the Priority Agriculture Zone

- (1) Ancillary Dwellings—
 - (a) are limited to one only per lot or strata lot;
 - (b) shall be limited in floor area to 120m²; and
 - (c) shall be clustered together with the principal dwelling in one location on the property with all relevant services shared.
 - (d) siting, design and materials used on the external surfaces of such buildings shall ensure that their impact upon the character, amenity and landscape values of the area is minimised.

44. Environmental Conservation Zone Requirements

- (1) Development shall be sited and designed so as to minimise impact on the rural character, amenity, and the landscape elements of the locality and where applicable, not impact on any sensitive dune structures.
- (2) Wherever suitable alternatives exist, development is to be located outside of areas which would require the removal of vegetation.
- (3) Where suitable alternatives do not exist, the Local Government may require a vegetation, flora and fauna study to determine locations on the site where development could occur with the least possible impact.
- (4) The removal of vegetation for access, provision of services and fire protection is to be minimized wherever possible.
- (5) Where the removal of vegetation is required, the Local Government may impose conditions on any development approval issued which require offset planting be undertaken by the proponent on either the subject lot or other suitable land. Offset planting shall be an equivalent area of land to be revegetated with native vegetation indigenous to the locality on the land the subject of the application.
- (6) Where applicable, development is to accord with any Landscape Plan, Bushfire Management Plan, or findings of a Geotechnical report undertaken to determine the suitability of the land to accommodate the intended development.

45. Tourism Development in the Environmental Conservation Zone

- (1) Tourism development is to meet the requirements of 'low impact development' as defined by this Scheme; and
 - (a) Tourist and visitor accommodation (limited to chalets and cabins only) on lots having an area of less than 20 hectares or where a conservation covenant applies, shall not exceed 2 chalets/cabins; and
 - (b) Tourist and visitor accommodation (limited to chalets and cabins only) on lots having areas greater than 20 hectares shall not exceed 6 chalets/cabins; and
 - (c) shall include an on-site manager.

46. Subdivision in the Environmental Conservation Zone

- (1) Subdivision of land will be considered in accordance with Clause 32 'Additional site and development requirements'. Where a conservation subdivision incentive and a restrictive covenant has already been applied to the land, further subdivision will not be supported.

47. Agriculture in the Environmental Conservation Zone

- (1) Agriculture uses shall—
 - (a) Have no adverse impact on waterways, wetlands, estuary systems or groundwater;
 - (b) Not conflict with any restrictive covenant applying to the land;
 - (c) Provide adequate buffers between the agricultural use and vegetated areas, wetlands or waterways, including fencing for stock control purposes; and
 - (d) Not require the filling, draining, clearing or excavation of wetlands.
 - (2) Clearing to facilitate agricultural land uses will not be supported.
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Schedule 8—Special Provisions—Rural Residential Zone

SCHEDULE 8—SPECIAL PROVISIONS—RURAL RESIDENTIAL ZONE		
Scheme Map Ref No.	Area Description	Special Conditions and Requirements
RR1	Lot 81 Saint Alouran Place, Margaret River	Development shall not exceed 7 metres above the natural ground level from the lowest point within the building envelope; being the northwest corner.
RR2	Lot 152 Yates Road, Margaret River	1. The Local Government may at its discretion, consider approving minor private recreational facilities and outbuildings as “A” uses on common land including the Bushland Conservation Common where it can be demonstrated that such development, will benefit the operation and on-going management of the overall development in accordance with the Environmental Management Plan, and will not have a detrimental impact on the landscape and conservation values of the land. 2. Boundary fencing of individual lots comprising the Rural Residential Cluster component shall be of an open rural standard to the satisfaction of the Local Government and no fencing shall be erected on common land unless temporarily required for land rehabilitation. 3. No vegetation shall be cleared within any lot or common land except for the purposes of— • compliance with an approved Bushfire Management Plan; • implementation of an approved Environmental Management Plan for site rehabilitation; and • clearing required to implement approved development. 4. Any revegetation or landscape works shall consist of local indigenous species, which complement the landscape or environmental values of the land and shall comply with the Bushfire Management Plan. 5. Disposal of on-site effluent shall be by secondary treatment disposal systems with nutrient retention capability to the specification and satisfaction of the Local Government and the Department of Health and shall be situated 50 metres or more from any wetland. 6. Each dwelling shall be provided with a supply of potable water, to be in the form of a water tank with a minimum capacity of 140,000 litres. 7. Only non-reflective building and roofing materials are permitted and shall be of a colour consistent with the vegetation and/or predominant colours of individual building sites. 8. Grazing of animals is prohibited. 9. Domestic cats are prohibited. 10. A Landscape Plan shall be prepared to show appropriate landscape screening that is required to protect the proposal allotments and neighbouring properties.
RR3	Pt Sussex Location 3805 and 2179, portion of Lot 2 of Sussex Locations 1013 and 1014 and Portion Sussex Location 1407 Caves, Boodjidup and Redgate Roads, Margaret River	1. No clearing of flora from lots created from the subdivision of this land is permitted, whether or not the clearing is within the building envelope shown for each lot, unless approval has first been sought and obtained from the Local Government pursuant to this Scheme. The Local Government may at its discretion limit the extent of clearing of indigenous flora within the building envelopes. 2. Only the existing cleared areas of Lots 1, 2, 5, 6 and 9 as shown on the approved Subdivision Plan for this land may be fenced and used for grazing of livestock. Uncleared areas are to be protected from penetration by livestock and no stock may be kept on the remaining lots within the subdivision.

SCHEDULE 8—SPECIAL PROVISIONS—RURAL RESIDENTIAL ZONE

Scheme Map Ref No.	Area Description	Special Conditions and Requirements
		3. The construction of boundary fences outside of the designated building envelopes is not permitted unless the fence construction does not require the clearing or removal of vegetation which exceeds 1 metre in height. 4. Lot owners are required to provide gates within fences on any boundary adjoining private or public land to allow free and easy movement of fire tenders in times of emergency.
RR4	Lot 12 of Sussex Location 1309 Cowaramup Bay Road, Gracetown	1. Landscape Protection Zone (LPZ) 30 metres in width, applies to the perimeter of the property where it fronts Cowaramup Bay Road and along the main waterway through the subdivision and the minor waterway adjacent to the northern boundary of the land. The LPZs over the waterways shall not be burnt. 2. No boundary fences may be constructed on lots created from the subdivision of this land. 3. No livestock shall be grazed or maintained on any lot created from the subdivision of this land. 4. No storage of toxic chemicals in amounts in excess of that required for domestic purposes is permitted and no fuel or oil shall be kept in drums due to the risk of groundwater contamination. 5. No activities are to take place outside the building envelopes on land to the west of the waterway (portion of Lot 4 and the majority of lot 3) which, in the view of the Local Government will compromise the function of their land as a flora and fauna corridor.
RR5	Pt Sussex Location 1362, Hamelin Bay Road, Karridale	Consistent with the covenants between the land owners and the Local Government the following conditions shall apply— 1. No person shall use or permit to be used any vehicle on any lot within this land holding in such a manner as to cause soil erosion or damage to vegetation. 2. No vegetation shall be cleared, removed or destroyed except as may be permitted in accordance with the provisions of Schedule 7 clause 17(1). 3. No cat may be kept on any lot within this subdivision and the keeping of any dog on any lot shall be confined to an area fenced within the approved building envelope. 4. No fence shall be erected on any lot within the subdivision except as boundary fencing to an approved building envelope. 5. Within the approved building envelope, the only buildings, which are permitted are a single residential dwelling with associated outbuildings. 6. In respect of lots potentially visible from Caves Road and Hamelin Bay Road, no development in the forms of buildings or earthworks shall be carried out on any lot unless the prior approval of the Local Government has been obtained and all such structures and earthworks are fully screened from those roads
RR6	Pt Sussex Loc 407 Caves Road and portion of Sussex Loc. 287 Kilcarnup Road, Margaret River	1. Clearing of flora shall only take place within those areas designated as building envelopes, with the following exceptions— (a) clearing to gain vehicular access to the lots. In any event the Local Government may specify on the plan of subdivision the approximate location for cross-overs to the respective lots; (b) clearing to comply with the Bush Fires Act 1954; and (c) clearing trees that are dead, diseased or dangerous.

SCHEDULE 8—SPECIAL PROVISIONS—RURAL RESIDENTIAL ZONE		
Scheme Map Ref No.	Area Description	Special Conditions and Requirements
		2. All development of dwelling houses and all ancillary buildings shall comply with the following development guidelines— (a) buildings shall be constructed of non-reflective material (with the exception of glazed areas) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the Local Government and shall be compatible with the rural character of the locality; (b) all services within the lot boundaries shall be underground; (c) a minimum of 150 millimetres topsoil shall be stripped from the earthworks areas and replaced immediately after construction onto disturbed areas; and (d) landscaping should be with materials that are sympathetic to the surrounding natural landscape. 3. The disposal of liquid and/or solid wastes shall be carried out by the installation of an effluent disposal system approved by the Local Government. Effluent disposal shall be setback a minimum of 50 metres from waterways for alternative effluent disposal systems or 100 metres for conventional systems. No house shall be occupied without the prior approval and installation of such a disposal system.
RR7	Southern Portion of Sussex Loc. 482, Burnside and Caves Roads, Margaret River	Nil
RR8	Pt Sussex Location 403 Caves Road, Margaret River	Local Development Plan 1. Development shall be generally in accordance with a Local Development Plan approved in accordance with the process set out in the Deemed Provisions. 2. The minimum lot size shall be 1 hectare. Landscape Protection 3. Clearing of flora shall only take place within those areas designed as building envelopes on the Structure Plan, with the following exceptions— a. Clearing to gain vehicular access to the lots. In any event the Local Government on the plan of subdivision may specify the approximate location of the crossovers to the respective lots, and b. Clearing to comply with the <i>Bush Fires Act 1954</i>. 4. The existing 20 metre wide landscape buffer along Caves Road shall be maintained by the developer and individual landowners to the satisfaction of Local Government. Development 1. All development of Dwelling houses and all ancillary buildings shall comply with the following development guidelines— a. Buildings shall be constructed of non-reflective material (with the exception of glazed areas) and shall comprise either timber, stone, rammed earth, brick or steel construction and shall be of colour(s) and textures which are essentially natural and earthy. All such materials shall be to the satisfaction of the Local Government and shall be compatible with the rural character of the locality. b. Buildings on land steeper than gradients of 1:10 shall be split level or pier construction to minimise the amount of cut and fill.

SCHEDULE 8—SPECIAL PROVISIONS—RURAL RESIDENTIAL ZONE

Scheme Map Ref No.	Area Description	Special Conditions and Requirements
		c. All services within the lot boundaries shall be underground. d. A minimum of 150 millimetres topsoil shall be stripped from earthworks areas and replaced immediately after construction onto disturbed areas. e. Landscaping should be with materials that are sympathetic with the surrounding natural landscape. f. Strategic planting within each lot, using local indigenous species as implemented through the subdivision, shall be maintained to the satisfaction of the Local Government. 2. There shall be a height limit on buildings of 8 metres. Outbuildings should form a unified group with the main building and should be of similar form, colour and materials.
RR9	Lots 1 to 6 and Lots 10 to 12 of Sussex Location 403 and Lots 1 to 4 and Lots 10 to 12 of Sussex Location 727 Heron Drive, Margaret River	Subdivision 1. At the time of subdivision, the Local Government shall recommend a minimum lot size of 1.0 hectare. Landscape Protection 2. A 40-metre wide Landscape Protection Zone shall apply to all waterways. No development, with the exception of tree planting shall be permitted within the Landscape Protection Zone. At the time of subdivision, the Local Government may request that the WAPC impose a condition requiring that the Landscape Protection Zone be subject to a tree planting programme. 3. A Landscape and Tree Buffer shall apply to a depth of 30 metres from the Caves Road reserve frontage and 20 metres from both the Roxburgh and Salmon Road reserves.
RR10	<i>Deleted</i>	
RR11	Lots 59—66 Kevill Road East, Lots 34 & 35 Kevill Road East, Lots 28—46 Ironstone Place, Kevill Road East and Zani Place, Lots 20—22 and 26 Culhane Road, Lot 2 Zani Place and Kevill Road West and Lots 1—8 Trinder Drive, Margaret River. Lots 12, 18 and 19 Kevill Road East Margaret River. Lots 56, 57 and 58 Kevill Road East, Margaret River. Lots 22, 23 and 24 Eucalyptus Court Margaret River	1. Notwithstanding the provisions of Schedule 7 Clause 33(10) of the Scheme, the minimum lot size for any re-subdivision of the land shall not be less than 1 hectare.
RR12	Lot 4 of Sussex Loc 994, Harrington Road, Boodjidup	1. Clearing of flora shall only take place within those areas designated as building envelopes on the plan of subdivision, with the exceptions specified under the EPA's Clearing Regulations. 2. The existing cottage located on proposed Lot 41 may be used for accommodation purposes which are to be ancillary to the main Single House.

SCHEDULE 8—SPECIAL PROVISIONS—RURAL RESIDENTIAL ZONE

Scheme Map Ref No.	Area Description	Special Conditions and Requirements
RR13	Lots 9, 10, 37, 1238, 391 and 392 Devon Drive and Lot 36 Kevill Road East, Margaret River	1. The Local Government will not support any proposal to re- subdivide the land until such time a Structure Plan has been approved by Western Australian Planning Commission in accordance with Part 4 of the Deemed Provisions. All subdivision and development is to be in accordance with an approved Structure Plan. 2. All vegetation on the land shall be preserved unless dead or dangerous or required to be removed to give effect to an approved subdivision or development. 3. Notwithstanding the provisions of Schedule 7, Clause 33(10) of the Scheme, the average lot size for re- subdivision of the land shall be 1 hectare. 4. Fencing is restricted to the building envelope areas only.
RR14	Sussex Location 414, Part Sussex Location 481 Caves Road, Margaret River and all of Sussex Location 995 Boodjidup Road, Margaret River.	1. The minimum lot size shall be 2.0 hectares.
RR15	Part Sussex Location 743, Redgate Road	1. The average lot size shall be not less than 3.0 hectares and the minimum lot size shall be not less than 2.5 hectares.
RR16	Sussex Location 1072 Caves Road Augusta	1. Clearing of flora shall only take place within those areas designated as building envelopes and necessary for the construction of a dwelling and associated uses, with the following exceptions— a. Clearing to gain vehicular access b. Clearing to comply with the <i>Bush Fires Act 1954</i> and endorsed Bushfire Management Plan; and c. Clearing trees that are dead, diseased or dangerous.
RR17	Lots 51 and 54 Kevill Road (West), Margaret River	Development 1. Development shall be limited to approved building envelopes. 2. Development of the private passive recreation lot shall be as specified in the Environmental Management Plan and Bushfire Management Plan. Any further development not specified will require an updated Environmental Management Plan and Bushfire Management Plan. The land uses will be limited to uses for conservation purposes such as walkways, low key nature studies, bird hides and such conservation development as permitted as the discretion of the local authority. Pets and Livestock 3. No livestock shall be kept on the proposed lots or common property components. 4. The keeping of domestic cats by householders in newly created lots is prohibited, and a covenant shall be placed on all new titles.
RR18	Lot 1 of Sussex Location 201 Caves Road, Margaret River	1. Clearing of flora shall only take place within those areas designated as building envelopes, with the following exceptions— • Clearing to gain vehicular access to the lots. In any event the Local Government on the plan of subdivision may specify the approximate location of the crossovers to the respective lots, and • Clearing to comply with the <i>Bush Fires Act 1954</i>.
RR19	Lot 1 Caves Road, Margaret River	1. The minimum lot size shall be 1ha.

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Scheme Map Ref No.	Area Description	Special Conditions and Requirements
RR20	Location 1035 Rowe Road, Witchcliffe	Nil
RR21	Lots 72 and 73 Kevill Road, Margaret River Lot 74 Kevill Road West, Margaret River	Nil
RR22	Lots 1—12 Matthews/Diana Road, Augusta	1. The minimum lot size shall be 1 hectare.
RR23	Lots 2 and 3 West Bay Creek Road, Augusta	Nil
RR24	Lots 3, 4, 5, 6, 7, 8, 9, 10 and 11 Doyle Place Margaret River	- Subdivision and development shall have due regard to the Structure Plan for the land endorsed by the Western Australian Planning Commission. - Flora/Fauna investigations shall be submitted in support of any subdivision of Lots 3 and/or 6. - At the time of subdivision the Local Government will request that the Western Australian Planning Commission impose conditions requiring the subdivider to— - Prepare a Fauna Management Plan. - Prepare a Foreshore Management Plan (including revegetation and weed management); and - Prepare a Stormwater Management Plan. - Prior to subdivision of the land a developer contribution scheme shall be prepared for the upgrade of Doyle Place.
RR25	Lot 21 Caves Road, Hamelin.	- Subdivision will be generally in accordance with the adopted Structure Plan and associated provisions for the land. - Notwithstanding the Zoning Table, the following use classes are not permitted on Lots 1-14 in the Structure Plan (the northwestern portion of the Rural Residential area)— - Home Business - Tourist and Visitor Accommodation in the form of a Guest house - Convenience Store - Industry—Cottage - Agriculture—extensive - Dam - As a variation to Schedule 7, Clause 17(1) clearing of land outside the building envelope is permitted to the extent necessary to comply with the approved Bushfire Management Plan forming part of the adopted Structure Plan. Consistent with this, clearing of land is prohibited in the following areas shown on the adopted Structure Plan, except for the purposes of constructing and maintaining boundary fencing— - Proposed Conservation Area - Managed Bushland - Vegetation to be Retained - Screening Vegetation - All dwellings and outbuildings are to be confirmed to the identified building envelopes. - Any dwelling located on Lots 1-3, 11-12 and 18-20, as outlined on the Structure Plan Map is to be constructed to a minimum BAL-29 rating, in accordance with the requirements of the Bushfire Management Plan.

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Scheme Map Ref No.	Area Description	Special Conditions and Requirements
		6. At the development stage, building setbacks are to comply with the BAL contour map forming part of the Bushfire Management Plan (refer Figure 20. BAL Contour Map). 7. All applications for residential development are to be supported by information confirming their consistency with the approved landscape assessment including having particular regard to the maximum height of building pads. 8. A consistent type and standard of boundary fencing is required for all lots in accordance with Clause 33(5). In addition to boundary fencing, any fencing of building envelopes shall be visually permeable, unobtrusive and sensitive to the objective of maintaining the rural character and visual amenity of land within the Zone. Solid fencing such as corrugated fibro cement and iron is prohibited 9. The areas identified as Managed Bushland in the adopted Structure Plan are to be fenced with a suitable standard of rural fencing to protect vegetation and landscape values as a condition of subdivision approval. 10. No direct access to Caves Road will be permitted from proposed lots adjoining Caves Road. 11. At the time of subdivision and development, the following approved management plans consistent with the adopted Structure Plan will be required to be implemented— a. Urban Water Management Plan b. Bushfire Management Plan c. Landscape Management Plan 12. The land identified as proposed 'Natural Parks and Nature Reserves' is to be ceded to the Crown free of cost at the first stage of subdivision.
RR26	Lots 1, 2, 4, 101, 102 & 103 Exmoor Drive; Lots 3, 112 & 113 Brumby Place; Lots 110 & 111 Waller Place; and Lots 104, 105, 106, 107 & 108 Boodjidup Road	1. The Local Government will not support any proposal to resubdivide the land until such time as a Structure Plan has been prepared and adopted by the Western Australian Planning Commission, in accordance with the processes set out in part 4 of the deemed provisions. 2. Notwithstanding the provisions of Schedule 7, Clause 33(10) of the Scheme, the average lot size for any re-subdivision of the land shall be 1 hectare
RR27	Lots 20, 231, 232, 233,243,252,253 Merino Way, Lots 16, 26, 151,152, 213,221, 222, 241,242,251, 271,272,273,281,282, 283, 291, 292, 293, 351, 352, 353, 361, 362, 363,380,403 Illawarra Avenue, Lots 153, 161, 162, 170, 171, 181, 182, 191, 192, 193, 211, 212 Hereford Place, Lots 371, 372,373,374,375, 376,377,378,379 Percheron Place and Lots 401 & 402 Clydesdale Place, Margaret River.	1. The Local Government will not support any proposal to resubdivide the land until such time a Structure Plan has been prepared and adopted for the land in accordance with the Scheme approved by the Western Australian Planning Commission, in accordance with the process set out in Part 4 of the Deemed Provisions. 2. All vegetation on the land shall be preserved unless dead or dangerous or required to be removed to give effect to an approved subdivision or development. 3. Notwithstanding the provisions of Clause 33(10) of the Scheme, the average lot size for re-subdivision of the land shall 1 hectare.

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Scheme Map Ref No.	Area Description	Special Conditions and Requirements
RR28	Lot 48 Treeton Road and Lot 49 Frieslan Street, Cowaramup	1. Subdivision and development shall have due regard to the Structure Plan for the land or subsequent Structure Plan endorsed by the Western Australian Commission. 2. Notwithstanding the provisions of Clause Schedule 7 33(10) an average lot area of 1 hectare shall be achieved. 3. No further subdivision than provided for in the approved Structure Plan will be supported
RR29	Lot 972 Horseford Road, Margaret River	Subdivision is limited to 4 lots only.
RR30	<i>Deleted</i>	
RR31	Lot 201 Burnside Road, Burnside	Notwithstanding the provisions of Schedule 7 Clause 33(10) of the Scheme, the average lot size for re-subdivision of the land shall be 1.5 hectares.
RR32	Lot 2 Fisher Road, Kudardup	The minimum lot size is to be no less than 1.0 hectare.

Schedule 9—Special Provisions—Tourism Zone

Clause 39.

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
T1	Portion Lot 200 Cowaramup Bay Road, Cowaramup	Use 1. The following are permitted uses— • Hotel • Tourist and Visitor Accommodation • Caretaker's dwelling • Reception Centre • Recreation—Private • Health Studio (Shop) • Place of Worship 2. The Local Government may grant approval to any other land uses listed in the Zoning Table as “P”, “D” or “A” uses in the Tourism Zone, provided such uses are generally in accordance with an approved Local Development Plan. Site Development Requirements 1. All buildings shall comprise a maximum of 2 storeys and not exceed a height of 8 metres, measured in accordance with Local Government policy. 2. All development on the western boundary of the site and located within the 1 in 100 year flood level of the dam on the adjacent site shall have a finished floor level of not less than 15.2 metres AHD. 3. Buildings shall be located in accordance with an approved Local Development Plan. In the case of buildings abutting the site's north western boundary, nil setbacks may be permitted. 4. The proposed development shall be connected to a reticulated water supply and sewerage system.

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
T2	Lot 703 Ocean View/Wallcliffe Road Gnarabup	Use In accordance with the Zoning Table, however, Tourist and Visitor Accommodation is limited to 28 villas comprising 83 bedrooms and no permanent residential accommodation is permitted other than a caretakers dwelling. Development Requirements 1. Development within the zone shall include the establishment of a landscape and vegetation protection buffer strip of a minimum of 10 metres, running the length of the northern boundary of the zone. There shall be no vehicle access to the development across this buffer strip to the public car park access road. 2. Notwithstanding Schedule 7—Clause 7 of the Scheme, buildings shall not exceed 7 metres in height as measured from natural ground level. 3. Development shall utilise building materials that are non-reflective and of a colour and texture compatible with the characteristics of the surrounding landscape. 4. Development proposals shall demonstrate linkages with the access systems outlined on an approved Coastal Management Plan to the satisfaction of the Shire and any modifications required to these systems as a result of the development. 5. Development shall ensure that the vegetation on the site is maintained where possible and that such vegetation will be incorporated into any development concept and landscaping proposals through the use of a species common to the site and its immediate environs. 6. In considering development proposals on the land, the Local Government will first be required to be satisfied that the development will not have a detrimental impact on views across the zone to the coastal reserve, particularly when viewed from predominant tourist viewing points outside the Scheme area, these being Wallcliffe Road, Surfers Point and Rivermouth Road. 7. Setback from boundaries apart from the northern boundary shall be a minimum of 10 metres with vegetation removal within the setback area being permitted only for vehicle access and servicing needs.
T3	Lot 3 Leeuwin Road, Augusta	Use The following uses are classified “P”— • Caretakers Dwelling • Tourist and Visitor Accommodation (in the form of Cabins and Chalets) • Hotel • Restaurant/Cafe • Exhibition Centre (in the form of a Museum) • Agriculture—Intensive (in the form of Aquaculture) • Managers Residence as part of Hotel The following uses are classified “A”— • Industry—Primary Production • Shop Development Requirements 1. The Local Government may require pre planning of the site to be undertaken by way of a Local Development Plan prepared in accordance with Part 6 of the Deemed Provisions. 2. In considering any proposal for development the following shall be addressed, where relevant to the satisfaction of the Local Government— a. Built form (including height and material and colours) and visual impact on surrounding environment and key tourist viewing points; b. Parking; c. Vehicle movement (traffic management);

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		d. Stormwater management; Effluent disposal to the satisfaction of the Local Government and the Department of Health; e. Clearing; f. Landscaping; g. Access points; h. Development is to be connected to a reticulated water supply; i. Arrangements being made to ensure public access is available to adjacent reserves via lot 3; j. A Bushfire Management Plan to be prepared to the satisfaction of DFES and the Local Government; k. A foreshore management plan is to be prepared and implanted for abutting foreshore reserve at the development stage; l. Prior to development, detailed investigation of the site is to be undertaken for evidence of sites of Aboriginal heritage significance; m. Development is to be generally in accordance with an Environmental Management Strategy which is based upon a recent and relevant environmental survey; n. Existing vegetation is to be preserved where possible and revegetation using native local species is to be encouraged; 3. Chalet development on Lot 3 Leeuwin Road Augusta shall not exceed 150 square metres in gross area, or a maximum height of 8 metres unless otherwise approved by the local government.
T4	Part Lot 145 of Location 741 Cowaramup Bay Road Cnr Caves road, Gracetown—proposed lot 11 (refer to Subdivision Guide Plan)	Use The following uses are classified “P”— • Restaurant/Café • Caretakers dwelling • Rural Pursuit/Hobby Farm • Exhibition Centre • Industry—Primary Production • Industry—Light (in the form of a Cottage Industry) Development Requirements 1. The Caretakers dwelling, all ancillary buildings and water tanks shall be constructed of non-reflective material (including glazed areas). 2. Effluent disposal areas for leach drain systems shall be setback 100 metres from any waterway or dam or in the case of a secondary treatment system 50 metres or such distance as recommended by the Department of Health or otherwise approved by the Local Government.
T5	Wallcliffe House Precinct (Lot 1) Pt Sussex Location 97 Wallcliffe Road, Margaret River	1. Development and land use is limited to a single house and ancillary uses consistent with the heritage values of the site and its inclusion on the State Register of Heritage Places unless otherwise approved by the Local Government. 2. The Local Government may also approve applications for the following tourist uses: Restaurant/Cafe, Hotel or Tourist and Visitor Accommodation (limited to a maximum of 40 keys) Small Bar, Recreation—Private (in the form of a spa) and activities related to public viewing of the buildings and grounds, where it can be demonstrated that bushfire mitigation measures can be achieved and such uses do not conflict with the heritage value of the site. Exhibition Centre, Reception Centre and conference uses may also be approved on the site, provided the uses are incidental to the predominant use of the land. 3. No development shall be approved by the Local Government unless— a. It is consistent with the heritage values and integrity of the site; b. It is consistent with the landscape significance and setting of the site;

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE		
Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		c. It is appropriately sited and designed to ensure that fire mitigation measures do not compromise environmental and landscape values; d. It is set back a minimum of 20m from the property boundary where it abuts the Margaret River (with the exception of existing development, landscape works and essential services); and e. The adjacent foreshore values are appropriately, enhanced, protected and managed. 4. For the purposes of condition 1 and 3 ‘development’ includes buildings, fencing, driveway, walkways, landscaping, changes in the use of the site and buildings and changes in the structural integrity of the buildings. 5. Removal of existing vegetation is not permitted without the approval of Local Government. 6. The following documentation is to be prepared and accompany an application for development approval for any tourism based land use (as outlined in Condition 2)— • A Bushfire Management Plan and associated Bushfire Emergency Evacuation Plan, responding to the detailed design of the proposed development and addressing the requirements of SPP 3.7 and the relevant position statements and guidelines. • A Transport Impact Statement and associated Management Plan which considers, but is not limited to: - o Internal access, the access road to the site, and the intersection of Wallcliffe Road and the access road; and - o Demonstrating that the above access arrangements can adequately accommodate evacuating traffic and emergency service vehicles.
T6	Lot 3 of Sussex Location 4396 Osmington Road, Margaret River	Use The following uses are classified “P”— • Tourist and Visitor Accommodation in the form of 26 single storey 2 and 3 bedroom double keyed chalets and 3 single storey, 3 bedroom triple keyed chalets for short stay and overnight accommodation; • Caretakers dwelling; • Restaurant/Cafe • Reception Centre; • Development of up to 13 Hangars. The uses classified as “A” are— • Agriculture—Intensive Development Requirements 1. All development shall be consistent with the Local Government’s Visual Management Guidelines and be located on portions of the lot that are demonstrated to the satisfaction of the Local Government, Department of Health, Department of Fire Emergency Services and the Department of Biodiversity, Conservation and Attractions as being suitable for development in terms of fire protection, effluent disposal, visual impact and impacts on the nearby and adjoining State Forest/National Park. 2. In considering any proposal for development, the following shall be addressed to the satisfaction of the Local Government— • Provision of reticulated services for water supply and efficient disposal; • Where an application is made for planning consent to commence or carry out development, the Local Government may require the development to be connected to the Margaret River reticulated sewerage scheme where the responsible authority (Water Corporation) considers that reticulated sewerage is available;

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		• Where an application is made for development approval to commence or carry out development, the Local Government may require the development to be connected to the Margaret River reticulated water supply where the responsible authority (Water Corporation) considers that water supply is available; • Tree planting and landscaping shall utilise native plant species of local provenance; • Access including emergency access; • Built form including building materials and building bulk in accordance with the Local Government's Visual Impact Management objectives. • Demonstration of a "best practice" approach to water supply efficiency and electricity generation throughout the development. 3. Tourist and Visitor Accommodation as may be approved by the Local Government shall be located as shown by the Development Guide Plan and located in such a manner as to cause minimal disturbance to existing vegetation. 4. Tourist and Visitor Accommodation shall be constructed with noise attenuation features in accordance with the appropriate Australian Standards relative to proximity to an aircraft landing ground. 5. No storage of fuel and other hydrocarbons will be permitted without prior approval from the Local Government and relevant agencies. 6. Establishment of the vineyard will require formal planning consent and specific design measures shall be implemented based on best environmental practices. 7. Prior to the issue of development approval, the Local Government shall require the preparation and implementation of a Bushfire Management Plan to the satisfaction of the Local Government, Department of Biodiversity, Conservation and Attractions and the Department of Fire and Emergency Services of WA. If aircraft or aviation fuel is to be stored on the subject land, approval of the Bushfire Management Plan will also be required from the Department of Mines, Petroleum and Exploration. 8. At the time development approval is issued a Section 70A notification under the <i>Transfer of Land Act 1893</i> (as amended) will be imposed to advise prospective purchasers of— • Location in close proximity to an airstrip; and • The viticulture activities being undertaken on the site. 9. An Airstrip Access and Management Plan for use of the Margaret River Airstrip being prepared to the satisfaction of the Local Government, and prior to the issue of a development approval addressing— • Safety • Design aircraft • Permissible uses and activities • Maintenance • Facility usage/license fees • Security • Operating hours • Noise management • Emergency response planning • Bird hazard management • Refuelling activities • Perimeter fencing and animal control • Aerodrome reporting inspections • Logging of usage

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		• Compliance with applicable relevant civil aviation guidelines, orders, practices and standards 10. In considering any proposal for development the following shall be addressed to the satisfaction of the Local Government— • Traffic (automotive) volumes and management • Vehicle (automotive) access to Osmington Road • Internal access roads and parking • Aircraft, vehicle (automotive) and pedestrian access to the airstrip from the development site • Implementation of an Airstrip Access Management Plan • Stormwater management incorporating Water Sensitive Urban Design principles. 11. Preparation and implementation of a bush land management plan to the satisfaction of the Local Government. This shall include details of rehabilitation, weed control and the bushfire management requirements for the area of remnant vegetation on site. 12. Preparation of a comprehensive management plan to address the amenity of neighbours. 13. Prior to the issue of development approval by the Local Government, the Department of Water and Environmental Regulation requires an Urban Water Management Plan to be prepared for assessment and endorsement by the Department of Water and Environmental Regulation.
T7	Lot 1001 Tanah Merah Road, Cowaramup	Use Tourist and Visitor Accommodation in the form of an Eco Resort comprising the following 'P' uses— • Private Recreation (including a Flora and Fauna eco-park), • Single House (2) • 18 duplex Chalets (total 36), • Restaurant/Cafe limited to 85 seats, • Reception Centre, • Exhibition Centre (including Vintage car and military museum and Library), • Other uses considered by the Local Government to be complementary to the operation of an eco-resort.
T8	Location 934 Bussell Highway Augusta	Use • Tourist and Visitor Accommodation in the form a 12-bedroom guesthouse • Tourist and Visitor Accommodation in the form 30 chalets • Caravan Park in the form of 50 Caravan bays and 10 Campsites • Shop, Office and Caretakers Dwelling • Recreation—Private Development Requirements 1. A foreshore management Plan to the satisfaction of the Local Government shall be produced for the whole of the foreshore area and West Bay Creek, prior to a development approval being issued and that the Bushfire Management Plan shall thereafter be implemented and maintained to the satisfaction of the Local Government. 2. Any proposals requiring dredging of the Hardy Inlet/ West Bay or construction of foreshore facilities shall be approved by the DEC and the Local Government. 3. The development to be connected to scheme water and sewerage treatment plants to satisfaction of the Water Corporation. 4. There shall be no strata titling of the Tourist and Visitor Accommodation within the site. 5. A landscape buffer to Bussell Highway to have supplementary planting added to the satisfaction of the Local Government.

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
T9	Lots 111 Corner Cowaramup Bay Road and Caves Road	Use The uses permitted on this site are— • Caravan Park consisting of 120 ordinary caravan, caravan ensuite and camping sites; • Tourist and Visitor Accommodation in the form of Chalets • Combined shop and Caretakers Dwelling; • Associated uses relative to the establishment of a comprehensive caravanning and camping facility on the site such as recreation uses, landscaping and any other ancillary uses. Development Requirements 1. Providing no buildings are to be established within 100 metres of the National park boundary. 2. A detailed fire protection plan is to be developed and implemented. 3. Development shall be of a high standard and in keeping with the character and amenity of the locality; 4. In approving development on either of the lots, the Local Government is to be satisfied that on site effluent disposal systems and the locations thereof are suitable for such purposes and will not affect the nearby waterway. 5. In considering applications for development, the Local Government shall have regard to the following matters— • Aesthetics; • Effluent disposal; • Drainage; • Waterway protection; • Visual impact; • Protection of existing vegetation; • Non development zones/landscape buffers; • Soil and landform protection; • Impact on National Park; • Dieback control; • Fire control; • Contributions to road upgrading; • Water demand and supply. 6. No further subdivision of the land is permitted. 7. No development shall be permitted within the landscape buffer as illustrated in the Development Guide Plan unless otherwise approved by the Local Government on the basis of such development consisting of signage, access for vehicles and services, fire control and water supply.
T10	Proposed Lot 13 of lot 145 Location 1309 Cowaramup Bay Road	Use The following uses are classified “P”— • Tourist and Visitor Accommodation in the form of Cabins and Chalets to a combined level not exceeding (6) 2-bedroom chalets; • Tourist and Visitor Accommodation in the form of a Guesthouse comprising not more than 10 guest rooms; • Restaurant/Cafe; • Private recreation; • Caretakers Dwelling • Caravan Park No other uses will be permitted. Development Requirements 1. All development shall be consistent with the Local Government’s Visual Management Guidelines and be located on portions of the lot that are demonstrated to the satisfaction of the Local Government, the Department of Health, DFES and

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		the Department of Biodiversity, Conservation and Attractions as being suitable for development in terms of fire protection, effluent disposal, visual impact and impacts on the nearby and adjoining National Park. 2. Prior to advertising and considering a development application for the lot, the Local Government shall specifically require a full assessment report addressing; • Effluent disposal; • Water supply; • Tree planting areas; • Access; • Fire protection measures to the satisfaction of the DFES, Department of Biodiversity, Conservation and Attractions the Local Government, and such measures shall form a Bushfire Management Plan to be adopted by the Local Government for any subsequent development on the lot; • Built form including building materials and building bulk in accordance with the Local Government's visual impact management objectives; • Vegetation protection area; • Proposed land uses; • Visual impact when viewed from Caves Road. 3. No trees within shall be removed with the exception of those trees that need to be removed for the purpose of fire protection, access and safety. 4. The Local Government shall request, as a condition of subdivision approval, the preparation and implementation of a Bushfire Management Plan.
T11	Lot 3 of Location 1638 Bussell Highway, Forrest Grove.	Use In accordance with the Zoning Table with the exception that Tourist and Visitor Accommodation is limited to low impact tourist development and no permanent residential accommodation is permitted other than a Single House and a caretakers dwelling.
T12	Lot 1 (lot 4) Sebbes Road Forrest Grove	Use The following uses are classified "D"— • Restaurant/Cafe; • Reception Centre in the form of a Conference Function Room • Tourist and Visitor Accommodation in the form of a Chalet (up to 8) with associated Tennis Courts; • Art Gallery (inclusive of a Craft Workshop) • Caretakers Dwelling (1); Development Requirements 1. The provision of a 92,000-litre water supply for each chalet, to be sourced from either rainwater supply sources or treated dam/underground water. 2. Provision of overhead standpipe and hardstand area for supplying fire units with water. 3. A firebreak is to be maintained along the western boundary and fuels between this firebreak and the western boundary are to be managed to permit control of a fire in this area by standard light fire unit.
T13	Lot 10, Location 3604 and Location 3777 Rosa Brook Road, Rosa Brook	Use The following classes of development may be permitted, subject to obtaining Development Approval— • Tourist and Visitor Accommodation in the form of Chalets(36); • Tourist and Visitor Accommodation ("A" use); • Single House (2); • Shop; • Restaurant/Cafe;

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		• Uses ancillary and incidental to the above, including Interpretive Centre and Private Recreation; • Workforce accommodation; • Industry—Primary Production; • Agriculture—Intensive. Development Requirements 1. Prior to development approval, an approved effluent disposal management plan must be submitted to the satisfaction of the Shire and DWER. This plan shall describe the proposed wastewater disposal system and a proposed method of greywater reuse for the development. The effluent disposal management plan shall demonstrate that there will be no export of pollutants or nutrients from the land with specific regard to the location of the land within the catchment of the Ten Mile Brook dam. This plan must be consistent with the endorsed Local Water Management Strategy. 2. Any application for planning consent for the short stay component shall be accompanied by a detailed proposal for potable water supply, and where applicable (ie. if other development the subject of the application require water supply), the relationship of this supply to the total water budget. These plans must be consistent with the endorsed Local Water Management Strategy. 3. A notification in the form of a Section 70A Notification, pursuant to the <i>Transfer of Land Act 1893</i> (as amended) shall be placed on the Certificate(s) of Title of the proposed Lot(s) advising purchasers, that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity. 4. Any future strata titled subdivision of the tourism component shall include a Strata Management Statement to the satisfaction of the Shire, WAPC and Tourism WA including statements to the effect of— • The chalets are for short-stay tourism use only. • Design guidance for the built form of chalets must be adhered to. • The agricultural area within the strata plan may only be used for agriculture. • Agricultural practices within the property have priority. • Prospective owners of tourism strata lots should be made aware that spraying and the spreading of manure occurs and that work outside normal hours may occur. 5. Vehicular access shall be to the satisfaction of the Shire and Main Roads WA for the care and control of the primary access road at the time of development. This access shall be in accordance with the recommendations of a Traffic Management Plan that is required to accompany any application for the Tourist and Visitor Accommodation (Chalets) component of this proposal. 6. Built form design guidelines for the proposed strata chalets shall be approved prior to the approval of any development. These guidelines shall encourage a level of consistency and be in accordance with the Visual Impact Assessment (see below). 7. Development of the land shall ensure that the rural character of the locality is maintained and shall be in accordance with the outcome of a Visual Impact Assessment that shall be submitted with any development application, to the satisfaction of the Shire, in accordance with the Shires Visual Management Policy. 8. A Landscaping and Rehabilitation Management plan shall be prepared prior to development to the satisfaction of the shire in accordance with the Visual Impact Assessment and Agricultural Impact Statement and Management Plan. This plan shall address buffers to agricultural areas, management, maintenance and the rehabilitation of landscape areas. The

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		plan shall also include the retention of existing native vegetation on-site. 9. An Urban Water Management Plan shall be prepared prior to the Local Government supporting any subdivision and/or development application. The Plan should build on and provide further details on all aspects of the endorsed Local Water Management Strategy in particular the following— • Wastewater management system treatment techniques, disposal strategy and final quality. It is also to include any relevant management of strata title issues. • Appropriate monitoring regime to determine water quality on site and leaving the site in surface and groundwater. • Appropriate waterway setbacks and filter zones within buffers. • Industry best practice viticulture practices including minimal ground disturbing activities as well as chemical, irrigation and fertiliser regimes. • Construction practices to minimise sediment movement off site. • Contaminated spill response strategy. • Rainwater harvesting, storage and supply for drinking water. • Drainage management strategy including 1:1, 1:5 and 1:100 ARI with associated water balances for pre and post development scenarios. • Dam construction and water capture. • Landscaping strategy identifying plant types, sediment control mechanisms and fertiliser regimes. • Water quality modelling using MUSIC to determine nutrient and sediment loads and concentrations. • Nutrient and Irrigation Management Plan. • Water sensitive design for internal roads, car parks and hardstand areas including appropriate treatment of runoff. • Recycled water quality management plan. • A recycled water reuse scheme must be approved by the Department of Health for all water reuse activities. • Strategies for educating staff on site specific water management procedures. • Education material and program for guests on sustainable water management. • Water Management Strategies for construction workers/companies to adhere to. 10. All sensitive land uses shall be located a minimum of 100 metres from surrounding “Priority Agriculture” zoned areas and shall have appropriate vegetated buffers in place prior to operation. These buffers shall be in accordance with the Visual Impact Assessment (see above). 11. Development shall incorporate sustainable planning principles including the provision of water conservation initiatives such as rooftop water harvesting and provision of rainwater storage tanks, integration of grey water systems, appropriate solar orientation of structures for passive heating and cooling, use of solar for power production and water heating and appropriate forms of material of construction. 12. Prior to the issue of a Building Permit or strata titles for tourism development, the land shall be amalgamated into one title. 13. Prior to the issue of a Building Permit or strata title for tourism development, the Local Government shall be satisfied that substantial agricultural development has or will be undertaken.

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
T14	Lot 1101 Fisher Road Augusta	Use Caravan Park consisting Caravan bays (105) and Tourist and Visitor Accommodation in the form of Chalets (45). Development Requirements 1. The effluent disposal scheme shall be designed and operated to the satisfaction of the EPA, Department of Health and the Local Government. 2. A foreshore Management Plan to the satisfaction and approval of the EPA, DWER and the Local Government shall be produced for the whole of the foreshore area and other portions of the land subject to periodic inundation, prior to development approval being issued, and the Foreshore Management Plan shall thereafter be implemented and maintained to the satisfaction of the Local Government. 3. Any proposals requiring the dredging of the Blackwood River, or construction of foreshore facilities shall be approved by the EPA, DWER and the Local Government, prior to development approval being issued. 4. The proposed Parks and Recreation Reserve shall be excised and ceded to the Crown free of cost, prior to development approval being issued. 5. Fisher Road shall be upgraded to the satisfaction of the Local Government prior to development approval being issued. 6. The landscape buffer to Fisher Road shall have supplementary planting added to the satisfaction of the Local Government. 7. There shall be no strata titling of the caravan bays within the development.
T15	Lot 61 Armstrong Road, Cowaramup	Use The following uses are classified as “D”— • Single House; • Caretaker’s Dwelling; • Home Business; • Home Occupation; • Home Office; • Tourist and Visitor Accommodation (Cabin); • Tourist and Visitor Accommodation (Chalet); • Tourist and Visitor Accommodation (Guest House); • Unhosted short-term rental accommodation; • Recreation—Private • Educational Establishment; • Restaurant/Cafe; • Reception Centre; • Agriculture—Intensive; • Agriculture—Extensive; • Exhibition Centre. Development Requirements 1. Development of the land shall be generally in accordance with an approved Local Development Plan prepared under Part 6 of the Deemed Provisions that has due regard to the rural nature of the local environment, and provides for an appropriate combination of any of the uses listed above.
T16	Lot 102 Rowcliffe Road, Warner Glen	Use Tourist and Visitor Accommodation in the form of Chalets (max. 4) Development Requirements 1. Fencing shall not be permitted unless otherwise approved by Council and providing bushland is not impacted. 2. Bushfire management measures are to be integrated with nature conservation objectives, as may be protected by a nature conservation covenant.

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
T17	Lot 118 Orchid Ramble, Margaret River	Use • Tourist and Visitor Accommodation in the form of Chalets—'P' use • Tourism—Mixed Use 'A' use <i>Tourism—Mixed Use means—A dwelling or dwellings that may be occupied either permanently as a grouped dwelling or temporarily for short-stay accommodation.</i> Development Requirements 1. Prior to any strata subdivision and/or development, a development application which applies to all strata lots is to be prepared and approved by the Local Government and is to provide for a cohesive form of development which exhibits consistent design, colour and materials. 2. Prior to any strata subdivision and/or development, the applicable strata management statement is to be amended to include reference to (design guidelines or approved DA) and to set out requirements relating to the— • Management and letting of dwellings for short stay use; and • Relationship/operation between permanent occupation and short-stay use. 3. Development on any strata lot is not to exceed 150m² in floor area and 7m in height. 4. All applications for subdivision and development are to be accompanied by a survey which identifies the location of 'Bossiaea disticha'. Applicants will be required to demonstrate protection measures which are then to be implemented in conjunction with subdivision, bushfire management and development.
T18	Strata Lots 3, 4, 5, 6 and 7, Lot 300, Blackwood Avenue, Augusta	1. The following uses 'P' permitted uses within the zone— • Tourist and Visitor Accommodation in the form of Serviced Apartments; • Grouped Dwellings; • Multiple Dwellings. 2. Residential development is permitted at the R40 density. 3. Prior to the use of the land for either a grouped dwelling or multiple dwelling, the applicable strata management statement is to be amended to include requirements relating to the— • management and letting of dwellings for short stay use; and • relationship / operation between permanent occupation and short-stay use on the same site and the adjoining backpackers / tourism use site; 4. Prior to the use of the land for either a grouped dwelling or multiple dwelling compliance with the applicable requirements of the Residential Design Codes shall be demonstrated. 5. Prior to the use of the land for either a grouped dwelling or multiple dwelling two visitor bays shall be constructed within the Heppingstone View Road reserve to the specification and satisfaction of the Shire.

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
T19	Lot 53 Bussell Highway and Lots 1, 2 and 9001 Baker Close, Augusta	Use - The following uses are classified “P”— - Home Office - Tourist and Visitor Accommodation in the form of Chalets - The following uses are classified “D”— - Caretaker’s Dwelling - Single House - Caravan Park - Tourist and Visitor Accommodation in the form of a Guesthouse - Café/Restaurant - Rural Pursuit/Hobby Farm - Telecommunications Infrastructure - The following uses are classified “A”— - Residential Building - Home Business - Home Occupation - Unhosted short-term rental accommodation - Small Bar - Tavern - Winery - Convenience Store - Market - Office - Place of Worship - Shop - Industry—Light (in the form of a Cottage Industry) - Agriculture—Extensive - Agriculture—Intensive - Industry—Primary Production - Art Gallery - Civic Use - Club Premises - Community Purpose - Educational Establishment - Exhibition Centre - Recreation—Private Development Requirements - Development of the land shall demonstrate the following— - not adversely impact the environmental or landscape qualities of the locality; - maximise the retention of any native vegetation on the site; - be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; - be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; - Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. - The density of Tourist and Visitor Accommodation on the land shall not exceed 1 chalet/cabin or 2 guest house rooms per

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		hectare, subject to a maximum density of 10 chalets or cabins or 50 caravan bays or camping sites. 7. Proposed development shall include provision for an on- site manager. 8. Subdivision will not be supported. 9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’. 10. Development is to conform to the following standards— <table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
Requirement	Standard													
Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													
T20	422 (Lot 5) Sebbes Road, Forest Grove	Use 1. The following uses are classified “P”— • Home Office • Tourist and Visitor Accommodation in the form of Chalets • Consulting Rooms in the form of a Natural Therapy Centre 2. The following uses are classified “D”— • Caretaker’s Dwelling • Single House • Caravan Park • Tourist and Visitor Accommodation in the form of a Guesthouse • Café/Restaurant • Rural Pursuit/Hobby Farm • Telecommunications Infrastructure 3. The following uses are classified “A”— • Residential Building • Home Business • Home Occupation • Unhosted short-term rental accommodation • Small Bar • Tavern • Winery • Convenience Store • Market • Office • Place of Worship • Shop • Industry—Light (in the form of a Cottage Industry) • Agriculture—Extensive • Agriculture—Intensive • Industry—Primary Production • Art Gallery • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre												

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		• Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. The density of development on the land shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare, subject to a maximum density of 10 chalets or cabins or 50 caravan bays or camping sites. 7. Proposed development shall include provision for an on- site manager. 8. Subdivision will not be supported. 9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’. 10. Development is to conform to the following standards— <table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Site Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Site Setback	20m*	Landscaping	5%
Requirement	Standard													
Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Site Setback	20m*													
Landscaping	5%													
T21	248 (Lot 71) Sebbes Road, Forest Grove	Use 1. The following uses are classified “P”— • Home Office • Tourist and Visitor Accommodation in the form of Chalets 2. The following uses are classified “D”— • Caretaker’s Dwelling • Single House • Caravan Park • Tourist and Visitor Accommodation in the form of a Guesthouse • Café/Restaurant • Rural Pursuit/Hobby Farm • Telecommunications Infrastructure 3. The following uses are classified “A”— • Residential Building • Home Business • Home Occupation • Unhosted short-term rental accommodation • Small Bar • Tavern • Winery • Convenience Store • Market												

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		• Office • Place of Worship • Shop • Industry—Light (in the form of a Cottage Industry) • Agriculture—Extensive • Agriculture—Intensive • Industry—Primary Production • Art Gallery • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre • Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. The density of Tourist and Visitor Accommodation on the land shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare, subject to a maximum density of 10 chalets or cabins or 50 caravan bays or camping sites. 7. Proposed development shall include provision for an on- site manager. 8. Subdivision will not be supported. 9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’. 10. Development is to conform to the following standards— <table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
Requirement	Standard													
Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													
T22	750 (Lot 102) Wallcliffe Road, Margaret River	Use 1. The following uses are classified “P”— • Home Office • Tourist and Visitor Accommodation in the form of Chalets (to a maximum of 6) 2. The following uses are classified “D”— • Caretaker’s Dwelling • Single House • Tourist and Visitor Accommodation in the form of a Guesthouse • Home Occupation												

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		3. The following uses are classified “A”— • Home Business • Unhosted short-term rental accommodation • Exhibition Centre • Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following— (a) not adversely impact the environmental, landscape and heritage qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. Proposed development shall include provision for an on- site manager. 7. Subdivision will not be supported. 8. Development is to conform to the following standards—<table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
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Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													
T23	410 (Lot 1) Roxburgh Road, Margaret River	Use 1. The following uses are classified “P”— • Home Office • Tourist and Visitor Accommodation in the form of Chalets (maximum of 6) 2. The following uses are classified “D”— • Caretaker’s Dwelling • Single House • Caravan Park • Tourist and Visitor Accommodation in the form of a Guesthouse • Café/Restaurant • Rural Pursuit/Hobby Farm • Telecommunications Infrastructure 3. The following uses are classified “A”— • Residential Building • Home Business • Home Occupation • Unhosted short-term rental accommodation • Industry—Light (in the form of a Cottage Industry) • Agriculture—Extensive • Industry—Primary Production • Art Gallery • Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following—												

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		(a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; (e) Meet the definition of low impact tourism development as outlined in the Shires Local Tourism Planning Strategy. 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. Proposed development shall include provision for an on-site manager. 7. Subdivision will not be supported. 8. Applications for nature-based caravan parks are to be accompanied by a 'Nature Based Park Management Plan'. 9. Development is to conform to the following standards— <table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management 'Corridors' as identified in the Local Planning Strategy.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
Requirement	Standard													
Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													
T24	179 & 185 (Lot 2) Boodjidup Road, Margaret River	Use 1. The following uses are classified “P”— • Home Office • Tourist and Visitor Accommodation in the form of Chalets (maximum of 9) • Tourist and Visitor Accommodation in the form of a 4 bedroom guesthouse 2. The following uses are classified “D”— • Caretaker’s Dwelling • Single House • Caravan Park • Café/Restaurant • Rural Pursuit/Hobby Farm • Telecommunications Infrastructure 3. The following uses are classified “A”— • Residential Building • Home Business • Home Occupation • Unhosted short-term rental accommodation • Small Bar • Tavern • Winery • Convenience Store • Market • Office • Place of Worship • Shop • Industry—Light (in the form of a Cottage Industry) • Agriculture—Extensive												

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		• Agriculture—Intensive • Industry—Primary Production • Art Gallery • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre • Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. Proposed development shall include provision for an on-site manager. 7. Subdivision will not be supported. 8. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’. 9. Development is to conform to the following standards— <table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy. 10. Development on the land shall generally be in accordance with a Local Development Plan approved by the Local Government, in accordance with the process set out in Part 6 of the Deemed Provisions.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
Requirement	Standard													
Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													
T25	5903 (Lot 2) Caves Road, Margaret River	Use 1. The following uses are classified “P”— • Home Office • Tourist and Visitor Accommodation (in the form of Chalets) The density of development on the land shall not exceed 1 chalet/cabin or 2 guesthouse rooms per hectare, subject to a maximum density of 10 chalets or cabins or 50 caravan bays or camping sites. 2. The following uses are classified “D”— • Caretaker’s Dwelling • Single House • Caravan Park • Tourist and Visitor Accommodation in the form of a Guesthouse • Café/Restaurant • Rural Pursuit/Hobby Farm												

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		• Telecommunications Infrastructure 3. The following uses are classified “A”— • Residential Building • Home Business • Home Occupation • Unhosted short-term rental accommodation • Small Bar • Tavern • Winery • Convenience Store • Market • Office • Place of Worship • Shop • Industry—Light (in the form of a Cottage Industry) • Agriculture—Extensive • Agriculture—Intensive • Industry—Primary Production • Art Gallery • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre • Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. Proposed development shall include provision for an on-site manager. 7. Subdivision will not be supported. 8. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’. 9. Development is to conform to the following standards— <table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
T26	3 (Lot 5) Old Ellen Brook Rd, Gracetown	Use - The following uses are classified “P”— - Home Office - Tourist and Visitor Accommodation in the form of Chalets - Reception Centre - The following uses are classified “D”— - Caretaker’s Dwelling - Single House - Caravan Park - Tourist and Visitor Accommodation in the form of a Guesthouse - Café/Restaurant - Rural Pursuit/Hobby Farm - Telecommunications Infrastructure - The following uses are classified “A”— - Residential Building - Home Business - Home Occupation - Unhosted short-term rental accommodation - Small Bar - Tavern - Winery - Convenience Store - Market - Office - Place of Worship - Shop - Industry—Light (in the form of a Cottage Industry) - Agriculture—Extensive - Agriculture—Intensive - Industry—Primary Production - Art Gallery - Civic Use - Club Premises - Community Purpose - Educational Establishment - Exhibition Centre - Recreation—Private Development Requirements - Development of the land shall demonstrate the following— - not adversely impact the environmental or landscape qualities of the locality; - maximise the retention of any native vegetation on the site; - be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; - be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; - Development shall have due regard for any approved Structure Plan and approved Landscape Plan.

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Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		6. The density of development on the land shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare, subject to a maximum density of 10 chalets or cabins or 50 caravan bays or camping sites. 7. Proposed development shall include provision for an on-site manager. 8. Subdivision will not be supported. 9. Applications for nature-based caravan parks are to be accompanied by a 'Nature Based Park Management Plan'. 10. Development is to conform to the following standards—<table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management 'Corridors' as identified in the Local Planning Strategy. 11. Operational restrictions for a Reception Centre shall be applied through conditions of development approval to ensure no adverse impacts on the amenity of nearby and surrounding residents and ensure low vehicle trip generation. Conditions shall address the following— - Location of functions on the site; - Hours of operation; - Number of attendees at functions; - Noise management; - Traffic Management Measures. 12. Development shall occur in accordance with an approved Bushfire Management Plan and Emergency Evacuation Plan. 13. Permanent structures associated with the Reception Centre use are to be located so as to avoid adverse landscape impacts when viewed from the Caves Road travel corridor.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
Requirement	Standard													
Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													
T27	Lot 101 Kilcarnup Rd, Burnside	Use 1. The following uses are classified “P”— - Home Office - Tourist and Visitor Accommodation in the form of Chalets 2. The following uses are classified “D”— - Caretaker’s Dwelling - Single House - Caravan Park - Tourist and Visitor Accommodation in the form of a Guesthouse - Café/Restaurant - Rural Pursuit/Hobby Farm - Telecommunications Infrastructure 3. The following uses are classified “A”— - Residential Building - Home Business - Home Occupation - Unhosted short-term rental accommodation - Small Bar - Tavern - Winery - Convenience Store - Market												

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		• Office • Place of Worship • Shop • Industry—Light (in the form of a Cottage Industry) • Agriculture—Extensive • Agriculture—Intensive • Industry—Primary Production • Art Gallery • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre • Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. The density of Tourist and Visitor Accommodation on the land shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare, subject to a maximum density of 10 chalets or cabins or 50 caravan bays or camping sites. 7. Proposed development shall include provision for an on- site manager. 8. Subdivision will not be supported. 9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’. 10. Development is to conform to the following standards— <table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirement	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
Requirement	Standard													
Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													
T28	23 (Lot 991) Mitchell Drive, Prevelly	Use 1. The following uses are classified “P”— • Caravan Park • Home Office • Park Home Park • Liquor Store—Small												

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE		
Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		2. The following uses are classified “D”— • Caretaker’s Dwelling • Tourist and Visitor Accommodation in the form of Chalets • Telecommunications Infrastructure • Reception Centre 3. The following uses are classified “A”— • Residential Building • Café/Restaurant • Commercial Vehicle Parking • Convenience Store • Fast food outlet/lunch bar • Market • Office • Shop • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre • Recreation—Private Development Requirements 4. Development is provide for the development and retention of caravan parks, including camping grounds and limited chalet development for low cost holiday accommodation facilities especially in beach-side and river-side locations within the Shire. 5. The Local Government will only approve development if it is satisfied that the development will— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 6. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 7. Proposed development shall include provision for an on-site manager. 8. Subdivision within the zone is not supported. 9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’.
T29	44 (Lot 107) Station Road, Margaret River	Use 1. The following uses are classified “P”— • Caravan Park • Home Office • Park Home Park 2. The following uses are classified “D”— • Caretaker’s Dwelling • Tourist and Visitor Accommodation in the form of Chalets • Telecommunications Infrastructure • Reception Centre

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		3. The following uses are classified “A”— • Residential Building • Café/Restaurant • Commercial Vehicle Parking • Convenience Store • Fast food outlet/lunch bar • Market • Office • Shop • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre • Recreation—Private Development Requirements 4. Development is provide for the development and retention of caravan parks, including camping grounds and limited chalet development for low cost holiday accommodation facilities especially in beach-side and river-side locations within the Shire. 5. The Local Government will only approve development if it is satisfied that the development will— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 6. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 7. Proposed development shall include provision for an on-site manager. 8. Subdivision within the zone is not supported. 9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’.
T30	8 (Lot 100) Willmott Avenue, Margaret River	Use 1. The following uses are classified “P”— • Caravan Park • Home Office • Park Home Park 2. The following uses are classified “D”— • Caretaker’s Dwelling • Tourist and Visitor Accommodation in the form of Chalets • Telecommunications Infrastructure • Reception Centre 3. The following uses are classified “A”— • Residential Building • Café/Restaurant • Commercial Vehicle Parking • Convenience Store • Fast food outlet/lunch bar

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE		
Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		• Market • Office • Shop • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre • Recreation—Private Development Requirements 4. Development is provide for the development and retention of caravan parks, including camping grounds and limited chalet development for low cost holiday accommodation facilities especially in beach-side and river-side locations within the Shire. 5. The Local Government will only approve development if it is satisfied that the development will— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 6. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 7. Proposed development shall include provision for an on-site manager. 8. Subdivision within the zone is not supported. 9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’.
T31	780 (Lot 1102) Fisher Road, Kudardup	Use 1. The following uses are classified “P”— • Caravan Park • Home Office • Park Home Park 2. The following uses are classified “D”— • Caretaker’s Dwelling • Tourist and Visitor Accommodation in the form of Chalets • Telecommunications Infrastructure • Reception Centre 3. The following uses are classified “A”— • Residential Building • Café/Restaurant • Commercial Vehicle Parking • Convenience Store • Fast food outlet/lunch bar • Market • Office • Shop • Civic Use • Club Premises • Community Purpose

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		• Educational Establishment • Exhibition Centre • Recreation—Private Development Requirements 4. Development is provide for the development and retention of caravan parks, including camping grounds and limited chalet development for low cost holiday accommodation facilities especially in beach-side and river-side locations within the Shire. 5. The Local Government will only approve development if it is satisfied that the development will— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 6. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 7. Proposed development shall include provision for an on-site manager. 8. Subdivision within the zone is not supported. 9. Applications for nature-based caravan parks are to be accompanied by a 'Nature Based Park Management Plan'.
T32	Lots 10, 858 and 35 Blackwood Avenue, Augusta	Use 1. The following uses are classified "P"— • Caravan Park • Home Office • Park Home Park 2. The following uses are classified "D"— • Caretaker's Dwelling • Tourist and Visitor Accommodation in the form of Chalets • Telecommunications Infrastructure • Reception Centre 3. The following uses are classified "A"— • Residential Building • Café/Restaurant • Commercial Vehicle Parking • Convenience Store • Fast food outlet/lunch bar • Market • Office • Shop • Civic Use • Club Premises • Community Purpose • Educational Establishment • Exhibition Centre • Recreation—Private

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements
		Development Requirements 4. Development is provide for the development and retention of caravan parks, including camping grounds and limited chalet development for low cost holiday accommodation facilities especially in beach-side and river-side locations within the Shire. 5. The Local Government will only approve development if it is satisfied that the development will— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 6. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 7. Proposed development shall include provision for an on-site manager. 8. Subdivision within the zone is not supported. 9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’.
T33	39 Forest Road, Gracetown	Use 1. The following uses are classified “P”— • Home Office • Tourist and Visitor Accommodation in the form of Chalets • Single House 2. The following uses are classified “D”— • Caretaker’s Dwelling • Tourist and Visitor Accommodation in the form of a Guesthouse • Café/Restaurant • Exhibition Centre • Telecommunications Infrastructure 3. The following uses are classified “A”— • Home Business • Home Occupation • Industry—Light (in the form of a Cottage Industry) • Agriculture—Extensive • Agriculture—Intensive • Industry—Primary Production • Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following— (a) not adversely impact the environmental or landscape qualities of the locality; (b) maximise the retention of any native vegetation on the site; (c) be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; (d) be located to minimise any adverse impacts on exiting native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses;

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. Subdivision will not be supported. 7. Development is to conform to the following standards—<table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site coverage (maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m²</td></tr><tr><td>Rear Setback</td><td>20m²</td></tr><tr><td>Side Setback</td><td>20m²</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirement	Standard	Site coverage (maximum)	30%	Front Setback	30m ²	Rear Setback	20m ²	Side Setback	20m ²	Landscaping	5%
Requirement	Standard													
Site coverage (maximum)	30%													
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T34	Lot 1 (13571) Bussell Highway, Augusta; Lot 3 (13575) Bussell Highway, Augusta; Lot 5 (13599) Bussell Highway, Augusta Lot 6 (13619) Bussell Highway, Augusta	Use 1. The following uses are classified “P”— - Hosted Short Term Rental Accommodation 2. The following uses are classified “D”— - Tourist and Visitor Accommodation, in the form of Chalets or Cabins - Caretaker’s Dwelling - Single House - Caravan Park - Camping Ground - Café/Restaurant - Telecommunications Infrastructure 3. The following uses are classified “A”— - Home Business - Unhosted Short-Term Rental Accommodation - Tavern - Winery - Shop - Art Gallery - Recreation—Private Development Requirements 4. Development of the land shall demonstrate the following— - not adversely impact the environmental or landscape qualities of the locality; - maximise the retention of any native vegetation on the site; - be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features; - be located to minimise any adverse impacts on existing native vegetation, waterways, soil and existing adjacent land uses including agricultural land uses; 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan 6. The density of development on the land shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare, subject to a maximum density of 10 chalets or cabins or 50 caravan bays or camping sites 7. Proposed development shall include provision for an onsite manager. 8. Subdivision will not be supported.												

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		9. Applications for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’. 10. Development is to conform to the following standards—<table><tr><th>Requirement</th><th>Standard</th></tr><tr><td>Site coverage (maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirement	Standard	Site coverage (maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
Requirement	Standard													
Site coverage (maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													
T35	Lot 2 Bussell Highway, Augusta; Lot 934 (13652) Bussell Highway, Augusta.	Use 1. The following uses are classified “P”— - Hosted Short Term Rental Accommodation 2. The following uses are classified “D”— - Tourist and Visitor Accommodation, in the form of Chalets or Cabins - Caretaker’s Dwelling - Single House - Caravan Park - Camping Ground - Café/Restaurant - Telecommunications Infrastructure - Rural Pursuit/Hobby Farm 3. The following uses are classified “A”— - Home Business - Unhosted Short-Term Rental Accommodation - Tavern - Winery - Shop - Art Gallery - Recreation—Private - Agriculture—Extensive - Agriculture—Intensive - Industry—Primary Production Development Requirements 4. Development of the land shall demonstrate the following— - not adversely impact the environmental or landscape qualities of the locality; - maximise the retention of any native vegetation of the site; - be located to avoid ridgelines, escarpments or visually exposed sites when viewed from any adjoining public or private land or public roads and is situated to maximise screening of the development by vegetation and/or existing landform features. - be located to minimise any adverse impacts on existing native vegetation waterways, soil and existing adjacent land uses including agricultural land uses; 5. Development shall have due regard for any approved Structure Plan, approved Landscape Plan and applicable Bushfire Management Plan. 6. The density of development on the land shall not exceed 1 chalet/cabin or 2 guest house rooms per hectare, subject to a maximum density of 10 chalets or cabins or 50 caravan bays or camping sites.												

SCHEDULE 9—SPECIAL PROVISIONS—TOURISM ZONE

Scheme Map Ref No.	Area Description	Specific Conditions and Requirements												
		7. Proposed development shall include provision for an onsite manager. 8. Subdivision will not be supported. 9. Application for nature-based caravan parks are to be accompanied by a ‘Nature Based Park Management Plan’ 10. Measures to be incorporated into tourism land uses to avoid land use conflict with agricultural use on site. 11. Development is to conform to the following standards—<table><tr><th>Requirements</th><th>Standard</th></tr><tr><td>Site Coverage (Maximum)</td><td>30%</td></tr><tr><td>Front Setback</td><td>30m*</td></tr><tr><td>Rear Setback</td><td>20m*</td></tr><tr><td>Side Setback</td><td>20m*</td></tr><tr><td>Landscaping</td><td>5%</td></tr></table> *A 60m setback shall apply to development on the land within Visual Management ‘Corridors’ as identified in the Local Planning Strategy.	Requirements	Standard	Site Coverage (Maximum)	30%	Front Setback	30m*	Rear Setback	20m*	Side Setback	20m*	Landscaping	5%
Requirements	Standard													
Site Coverage (Maximum)	30%													
Front Setback	30m*													
Rear Setback	20m*													
Side Setback	20m*													
Landscaping	5%													

Schedule 10—Development Contribution Area

Scheme Reference	DCP1a—Margaret River Cultural Centre
Development Contribution Area	DCA1
Relationship to Planning Instruments	Redevelopment of the Cultural Centre is identified in the Shire's Long term Financial Plan, the Shire's Corporate Plan, the Community Infrastructure Plan and the Supertown Growth Plan.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are a proportional share of Stages 1 and 2 of the redevelopment of the Margaret River Cultural Centre at Wallcliffe Road, Margaret River, as identified in the Wilcox and Associates drawings of 2015 and includes: Stage One Multi Use Space - Re-pitch squash court and wet area roofs to remove industrial box gutter and replace asbestos roof with Colorbond roofing and insulation. Construct covered walkway to car park. - Convert squash courts into multi-purpose gallery/expo/performance/conferencing space of 243m² divisible by three by retractable acoustic walls and also including relocated 180 seat retractable seating from the main theatre. - Create a connecting foyer between the existing theatre and the newly refurbished multipurpose space created by the squash courts, including a new bar/servery facilities. - Construct a new commercial kitchen to service all areas from the central foyer location. - Renovate toilet area and construct new universally accessible toilet, green room, storeroom and rehearsal/conference break-out and future office accommodation area. - Renovate courtyard replacing asbestos roof to number 3 basketball court and courtyard verandah with Colorbond, extend verandah, reclad basketball court façade and create new universally accessible entry to the theatre along the old verandah on the north side of the courtyard. Stage Two Auditorium - Refurbish theatre and install new technology as per the Stuart report (see section 2.4.3 below) - Install permanent theatre style seating for 310 patrons - Construct new theatre foyer and new northern façade - Refurbish toilets and construct new universally accessible toilet

	• Create new office space in old kitchen with independent external access doors • Install climate controlled air conditioning to theatre auditorium • Replace asbestos roofing to auditorium and fly tower with Colorbond roofing and insulation • Install PVC Solar Panels on auditorium roof Cost estimates include— • Planning and design. • Partial demolition and reconstruction. • Landscaping. • Project management and administrative fees associated with construction.
Method of Calculating Contributions	The Local Government's Community Infrastructure Plan and Development Contribution Plan report identify the need to improve the Cultural Centre to cater for future growth. The contributions outlined in this plan have been derived based on the proportional need for facilities generated by growth through the period of operation of the Plan. This calculation includes recognition of the residual value of the retained components of the existing Cultural Centre; and excludes a component of future usage that will be generated by development outside of the Shire. In this regard the proportion of usage for conference purposes are anticipated to be funded through grant income.
Period of Operation	15 years until 9/12/2031
Priority and Timing	This is the highest ranking community project in the DCA1 catchment, it is anticipated to commence development in 2016/2017.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	DCP1b—Gloucester Park
Development Contribution Area	DCA1
Relationship to Planning Instruments	Redevelopment of Gloucester Park is identified in the Shire's Long term Financial Plan, the Shire's Corporate Plan and the Community Infrastructure Plan.
Infrastructure and Administrative Items to be Funded	Proportional share of increasing capacity at the Gloucester Park recreation area, including— • Gloucester Park drainage (between Bowling Club and Rec Centre) • Gloucester Park—Lower Western Oval Drainage • GP Sport playing fields Expansion—Lower Western Oval • Gloucester Park Signage • GP Soccer/Cricket/Hockey clubs pavilion—Additional change room facilities to northern side of Pavilion—single storey, change area and adjoining showers and toilet • GP Rugby/Tennis Club Pavilion—Additional undercover area on western side of Pavilion • GP Extend Cricket Club Nets • Gloucester Park Landscaping • Gloucester Park Pathways • Gloucester Park Trails
Method of Calculating Contributions	The Local Government's Community Infrastructure Plan and Development Contribution Plan report identify the need to improve Gloucester Park to cater for future growth. The contributions outlined in this plan have been derived based on the proportional need for facilities generated by growth through the period of operation of the Plan. This calculation excludes— • The demand for additional facilities created by the existing community, to be funded through general revenue (projected at 50%). • The ability to secure grant funding for substantial improvements that will benefit existing and future users.

	• Future usage—the proportion of usage that will be generated by development outside of the development plan timeframe.
Period of Operation	10 years until 09/12/2026—as a District level facility the level of improvements are significant.
Priority and Timing	This is the second highest ranking community project in the DCA1 catchment, implementation has commenced as at 2015.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	DCP1c—Margaret River Youthspace
Development Contribution Area	DCA1
Relationship to Planning Instruments	Redevelopment of the Youthspace is identified in the Shire's Long term Financial Plan, the Shire's Corporate Plan and the Community Infrastructure Plan.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are a proportional share of Stages 1 and 2 of the redevelopment of the Margaret River Youthspace at Wallcliffe Road, Margaret River, as identified in the COVIC drawings of 2014 and includes— • Stage 1— - o Zone room breakout space; - o Half-court basketball; - o Unique skateable features; - o Snake run; - o Mini ramps; - o WSUD landscaping. • Stage 2— - o Connection paths and entry plazas; - o Unique skateable features; - o BBQ's; - o Shade structures; - o Turf mounding to compliment stage area; - o WSUD landscaping. Cost estimates include— • Planning and design. • Partial demolition and reconstruction. • Landscaping. • Project management and administrative fees associated with construction.
Method of Calculating Contributions	The Local Government's Community Infrastructure Plan and Development Contribution Plan report identify the need to improve the Margaret River Youthspace to cater for future growth, and given the existing facility is at the end of its useful life. The contributions outlined in this plan have been derived based on the proportional need for facilities generated by growth through the period of operation of the Plan, and recognising the existing benefits that accrue from the retained infrastructure in the Youthspace complex. This calculation excludes— • The residual value of the retained components of the Youthspace; • Future usage—the proportion of usage that will be generated by development outside of the planning period.
Period of Operation	10 years until 9/12/2026
Priority and Timing	This is the third ranking community project in the DCA1 catchment, it is anticipated to commence development in 2017/18.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.

Scheme Reference	DCP2a—Margaret River Footpath Improvements
Development Contribution Area	DCA2a (portion of DCA2 relating to infill development in the Margaret River townsite)
Relationship to Planning Instruments	Path improvements are identified in the Shire's Long Term Financial Plan, the Integrated Transport Strategy and the Shire's Path Plan.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are a proportion of the infill related path infrastructure identified in the Shire's Path Plan (2015).
Method of Calculating Contributions	Applies to infill development/grouped dwellings only. Calculations are based on a proportional share of infill related path infrastructure identified in the Shire's Path Plan, as follows— 1. The cost of providing infill related footpath infrastructure is identified in the Shire's Path Plan. The total cost allocation for these paths is extracted from the ten year budget allocation in the Long Term Financial Plan. 2. The proportion of new infill dwellings anticipated within the ten year planning period is estimated. 3. The total estimated cost of infill path improvements is divided proportionally by the number of expected infill related dwellings expected over the ten year planning period.
Period of Operation	10 years until 9/12/2026
Priority and Timing	Projects will be undertaken when sufficient funding is available as identified in the Shire's Long Term Financial Plan
Review Process	Annually
Scheme Reference	DCP2b—Station Road Stormwater
Development Contribution Area	DCA2b
Relationship to Planning Instruments	Area identified for commercial intensification and residential infill through LPS1 zoning.
Infrastructure and Administrative Items to be Funded	Two 1000m ² bio-retention basins in the Doyle Place road reserve.
Method of Calculating Contributions	Two stages of development are identified for each proposed detention basin— • Stage 1 funding the initial 1,000m² detention basin providing for lots that have already been developed or have a condition applied to existing development approvals, which includes Lots 21, 38, 256 and 100; • Stage 2 will make proportional contributions from the balance of the land to a second 1,000m² detention basin in the Doyle Place Road Reserve. For each stage the projected cost of detention basins is to be allocated across undeveloped lots based on an anticipated total impervious area of 80% at full development.
Period of Operation	5 years until 9/12/2021
Priority and Timing	As sufficient contribution revenue received.
Review Process	Annually
Scheme Reference	DCP2c—Kevill Road
Development Contribution Area	DCA2c
Relationship to Planning Instruments	Resubdivision of the RR15 Rural Residential area is provided for under LPS1 and associated Detailed Area Plan adopted under LPS1.
Infrastructure and Administrative Items to be Funded	Upgrading of approximately 1.6km of Kevill Road East from Wallcliffe Road north, improving the road from approximately 4m in seal width to a 6m bitumen two coat seal with appropriate drainage, together with allocation for design and survey of works.
Method of Calculating Contributions	Total cost of works divided between the number of new lots provided for under endorsed Detailed Area Plans, with the cost of works reduced by contributions taken as at the initiation of Amendment 35 to LPS1 (16/12/2014).
Period of Operation	10 years until 9/12/2026

Priority and Timing	Works are to be undertaken in three stages in the following order of priority as sufficient funds are collected— • Stage 1: Kevill Road East from Wallcliffe Road to 430m north (first 31 lots). • Stage 2: Kevill Road East from 430m north of Wallcliffe Road to the southern extent of Lots 61 and 62 Kevill Road East (next 35 lots). • Stage 3: Kevill Road East from the southern extent of Lots 61 and 62 Kevill Road East north to the western extent of Lot 59 Kevill Road East (remaining 30 lots).
Review Process	This DCP will be reviewed periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	DCP2d—Ashton Street SPA14
Development Contribution Area	DCA2d
Relationship to Planning Instruments	Infrastructure required as a consequence of resubdivision within the SPA14 area and endorsed Structure Plan.
Infrastructure and Administrative Items to be Funded	• Ashton Street road upgrade—widening of Ashton Street to 6.0m, provision of kerbing, resurfacing and installation of signs and line-marking along the frontages of Lots 1 to 13. • Ashton Street pathway—provision of a pathway along one side of Ashton Street. • Ashton Street stormwater drainage—construction of a stormwater drainage system servicing the Ashton Street road pavement between Lots 1 and 13, including swale drain, pipes and pits. • Ashton Street stormwater treatment—construction of a bio-retention basin for the treatment of stormwater from the Ashton Street road pavement. • Ashton Street street lighting—provision of poles and lanterns along Ashton Street to Western Power specifications. • Foreshore Management—preparation and implementation of a foreshore management plan to protect and enhance the Margaret River and Merchant Brook foreshore reserves abutting Lots 1 to 8. • River Access Upgrade—improvements to pedestrian access ways to a compacted gravel standard and on street parking in the Ashton Street Road Reserve adjacent to Lots 2 and 3 (pedestrian access from between Lots 2 and 3, and from the cul-de-sac head in lot 6). • Public Open Space land—land will be ceded at subdivision by the owners of Lots 12 and 13 for the provision of public open space to service the R5 zoned lots within the ODP area. • Public Open Space development—the development of the public open space land including weed control, landscaping, pathways, park furniture and maintenance for a two year period. • Scheme Administration—an allowance for has been made for scheme administration to reflect the Shire's role in development and ongoing monitoring of the scheme, project management and financial administration.
Method of Calculating Contributions	Contributions will be calculated based on— • A proportional share of the costs of infrastructure projects based on a per lot contribution. • A proportional share of POS provision spread on an area basis through land zoned Residential R5. • A proportional share of implementation of the foreshore management plan for the SPA14 area spread between lots 1—13.
Period of Operation	10 years until 9/12/2026
Priority and Timing	Projects will be undertaken when sufficient funding is available
Review Process	This DCP will be reviewed periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.

Scheme Reference	DCP3a—Augusta Path Improvements																			
Development Contribution Area	DCA3																			
Relationship to Planning Instruments	Path improvements are identified in the Shire's Long Term Financial Plan and the Shire's Path Plan.																			
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are a proportion of the infill related path infrastructure identified in the Shire's Path Plan (2015).																			
Method of Calculating Contributions	Applies to infill development/grouped dwellings only. Calculations are based on a proportional share of infill related path infrastructure identified in the Shire's Path Plan, as follows— • The cost of providing infill related footpath infrastructure is identified in the Shire's Path Plan. The total cost allocation for these paths is extracted from the ten year budget allocation in the Long Term Financial Plan. • The proportion of new infill dwellings anticipated within the ten year planning period is estimated. • The total estimated cost of infill path improvements is divided proportionally by the number of expected infill related dwellings expected over the ten year planning period.																			
Period of Operation	10 years until 9/12/2026																			
Priority and Timing	Projects will be undertaken when sufficient funding is available as identified in the Shire's Long Term Financial Plan																			
Review Process	Annually																			
Scheme Reference	DCP3b—Augusta Planning Area 6																			
Development Contribution Area	DCA3b																			
Relationship to Planning Instruments	Infrastructure required as a consequence of subdivision and development within Structure Plan Area 6.																			
Infrastructure and Administrative Items to be Funded	Implementation of the following infrastructure improvements— • Hillview Road & Ellis Street path (completed). • Hillview Road upgrade. • Ellis Street upgrade. • Hart Road path. • Hart Road South upgrade. • Hart Road North & Luke Road upgrade. • Bussell Highway link road. • Bussell Highway link road path. • Scheme Administration.																			
Method of Calculating Contributions	Apportionment of costs is based on the percentage of net subdividable area within each development area designated as Areas A, B and C, and the assumed lot yields for each of these areas, as follows— <table border="1"> <thead> <tr> <th>Area</th><th>Anticipated Lot Yield</th><th>Apportionment (%)</th></tr> </thead> <tbody> <tr> <td>Area A</td><td>975</td><td>66.8</td></tr> <tr> <td>Area B</td><td>182</td><td>12.5</td></tr> <tr> <td>Area C</td><td>260</td><td>17.8</td></tr> <tr> <td>Shire</td><td>Existing LIA (42)</td><td>2.9</td></tr> <tr> <td>Total</td><td>1459</td><td>100</td></tr> </tbody> </table> The Policy includes a requirement for contributions from Developers of Areas A, B and C towards the construction of the Bussell Highway Link Road and Path. The existing Light Industrial Area (LIA) is considered to be a beneficiary of the Link Road and therefore the Shire of Augusta Margaret River has made contribution to these works. Due to the protracted timeframe for full development within DCP3b full infrastructure delivery under this DCP, timeframes and contribution requirements are to be delivered on completion of 66% of lots within DCA3b.		Area	Anticipated Lot Yield	Apportionment (%)	Area A	975	66.8	Area B	182	12.5	Area C	260	17.8	Shire	Existing LIA (42)	2.9	Total	1459	100
Area	Anticipated Lot Yield	Apportionment (%)																		
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Area B	182	12.5																		
Area C	260	17.8																		
Shire	Existing LIA (42)	2.9																		
Total	1459	100																		
Period of Operation	10 years until 9/12/2026																			

Priority and Timing	Due to the likely timeframe for the development of all lots within DCP3b contribution requirements have been apportioned through delivery of two thirds of anticipated development in the area. The prioritisation of projects and trigger points for delivery will be as follows—		
	Project	Priority	Cumulative Number of Lots
	Hillview Road & Ellis Street path (completed).	1	81
	Hillview Road upgrade.	2	154
	Ellis Street upgrade.	3	258
	Hart Road path.	4	327
	Hart Road South upgrade.	5	459
	Hart Road North & Luke Road upgrade.	6	595
	Bussell Highway link road.	7	929
	Bussell Highway link road path.	8	977
	Scheme Administration.	9	984
	Note: All projects highlighted below are anticipated to be outside the planning period due to expected growth rates.		
Review Process	This DCP will be reviewed periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.		
Scheme Reference	DCP3c—Augusta Civic Park		
Development Contribution Area	DCA3		
Relationship to Planning Instruments	Infrastructure required as a consequence of subdivision and development and consistent with the Shire’s Long Term Financial Plan and endorsed Civic Park Masterplan.		
Infrastructure and Administrative Items to be Funded	Implementation of the following infrastructure improvements— • Upgrading of the recreation centre; and • Upgrading of the library. As detailed in the Shire’s Augusta Civic Park Masterplan.		
Method of Calculating Contributions	Contributions will be calculated based on a share of the total project cost proportional to the amount of population growth projected through the planning period, with costs divided evenly between existing and future residents.		
Period of Operation	10 years until 9/12/2026		
Priority and Timing	These projects are programmed to commence in the 2017/18 financial year and be completed in three years.		
Review Process	This DCP will be reviewed periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.		
Scheme Reference	DCP4—Cowaramup		
Development	DCA4		
Relationship to Planning Instruments	Further subdivision and development in Cowaramup is identified in State Planning Policy 6.1—Leeuwin Naturaliste Ridge, the Shire’s Local Planning Strategy, and the Cowaramup Village Strategy. Much of this land is zoned for Future Development and guided by endorsed structure plans.		
Infrastructure and Administrative Items to be Funded	• Shade/lighting/drinking fountain (skate park) • Construct additional car-parking in proximity to town centre • Hall upgrades • Additional male and female public toilets (extend existing) • Wadandi trail—construct from Cowaramup to northern Shire boundary • Pavilion and parking—West Cowaramup oval • Selected improvements Cowaramup Oval • Dual use paths.		

Method of Calculating Contributions	Contributions will be calculated having regard to the extent to which the infrastructure items benefit the lots to which the contributions accrue and the Cowaramup community more broadly. The exception is items which benefit east or west Cowaramup most specifically.
Period of Operation	10 years until 9/12/2026
Priority and Timing	Over the next 10 years, it is anticipated that 212 of the 750 lots available for subdivision will be created. As such, items ranked with a lower priority are unlikely to be funded by this mechanism over the life of the DCP. Items have been ranked in order of priority for implementation as follows— 1. Shade/lighting/drinking fountain (skate park) 2. Construct additional car-parking in proximity to town centre 3. Additional male and female public toilets (extend existing) 4. Hall upgrades 5. Wadandi trail 6. Pavilion and parking—West Cowaramup oval 7. Selected improvements Cowaramup Oval 8. Dual use paths
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	DCP5—Witchcliffe
Development Contribution Area	DCA5
Relationship to Planning Instruments	Further subdivision and development in Witchcliffe is identified in State Planning Policy 6.1—Leeuwin Naturaliste Ridge, the Shire's Local Planning Strategy, and the Witchcliffe Village Strategy. Much of this land is zoned for Future Development and guided by endorsed structure plans.
Infrastructure and Administrative Items to be Funded	The items to be funded from this DCP are the facilities identified through <i>Witchcliffe: Evolving Towards Tomorrow</i> Community Infrastructure Plan and include— 1. Rails to trails: Development of the Wadandi trail from Witchcliffe to Calgardup Road; 2. Upgrading of the community (Druids) hall; 3. Refurbishment and enhancement of existing hardcourts; 4. Construction of linking pathways; 5. Improvements to passive open space; 6. Public Art program; 7. Main Street activation; and 8. Implementation of a community environmental project (community garden).
Method of Calculating Contributions	Contributions will be calculated as the total costs of projects divided by the number of lots proposed for Witchcliffe.
Period of Operation	10 years until 9/12/2026
Priority and Timing	These projects, as developer funded, have been ranked in order of priority for implementation as follows— 1. Rails to trails: Development of the Wadandi trail from Witchcliffe to Calgardup Road; 2. Upgrading of the community (Druids) hall; 3. Refurbishment and enhancement of existing hardcourts; 4. Construction of linking pathways; 5. Improvements to passive open space; 6. Public Art program; 7. Main Street activation; and 8. Implementation of a community environmental project (community garden).
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.

Scheme Reference	DCP6—Karridale
Development Contribution Area	DCA6
Relationship to Planning Instruments	Further subdivision and development in Karridale is identified in State Planning Policy 6.1—Leeuwin Naturaliste Ridge, the Shire's Local Planning Strategy, and the Karridale Hamlet Settlement Strategy. The three identified development sites are at various stages in the rezoning/ structure planning/ subdivision process.
Infrastructure and Administrative Items to be Funded	• Kitchen refurbishment and hall upgrades. • Improve water catchment and supply hall/Bushfire Brigade— • 1x 100,000 litre tank • Path plan and feasibility study—Investigate crossroads to school path link / crossroads to Wadandi track link / Wadandi track Karridale to Augusta • Construction of 2km of pathways as per feasibility study
Method of Calculating Contributions	The contributions are calculated by dividing the total project cost by the number of expected lots to be created.
Period of Operation	5 years until 9/12/2021
Priority and Timing	Over the life of this DCP, it is anticipated that 50 of the 201 lots available for subdivision will be created. As such, items ranked with a lower priority are unlikely to be funded by this mechanism over the life of the DCP. The items have been ranked in order of priority for implementation as follows— • Kitchen refurbishment and hall upgrades. • Improve water catchment and supply hall/Bushfire Brigade • Path plan and feasibility study—Investigate crossroads to school path link / crossroads to Wadandi track link / Wadandi track Karridale to Augusta • Construct agreed path network
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	DCP7—Kudardup
Development Contribution Area	DCA7
Relationship to Planning Instruments	Further subdivision and development in Kudardup is identified in State Planning Policy 6.1—Leeuwin Naturaliste Ridge, the Shire's Local Planning Strategy, and the Kudardup Settlement Strategy. Around half of this land is zoned for Future Development and guided by endorsed structure plans.
Infrastructure and Administrative Items to be Funded	• Community hub: refurbishment and improvements to the existing community building, including a separate office space for community environmental group at Reserve 17936, providing for additional capacity in the facility. • Poole Road Wadandi Track connection. Shared path to be located along the edge of the existing road carriageway, approximately 1100m at gravel standard. • Wadandi Track contribution. Proportional contribution to Karridale to Augusta section of the Wadandi Track (Rails to Trails reserve). • Shared path network in the primary local park at Reserve 18866, 260m at gravel standard. • Selected improvements to the primary local park at Reserve 18866— - o Outdoor hard court (Shared basketball/netball court). - o Playground. - o Toilet block. - o 8 bay sealed carpark.
Method of Calculating Contributions	Contributions will be calculated as the total costs of projects divided by the number of lots proposed for Kudardup.
Period of Operation	20 years until 9/12/2036

Priority and Timing	These projects, as developer funded, have been ranked in order of priority for implementation as follows— • 1—Community hub; • 2—Poole Road Wadandi Track connection; • 3—Wadandi Track contribution. Proportional contribution to Karridale to Augusta section of the Wadandi Track (Rails to Trails reserve); • 4—Shared path network in the primary local park at Reserve 18866; • 5—Selected improvements to the primary local park at Reserve 18866— - o Outdoor hard court (Shared basketball/netball court). - o Playground. - o Toilet block. - o 8 bay sealed carpark.
Review Process	This DCP will be reviewed following the outcome of relevant grant funding applications, and periodically in line with the balance of cost reviews undertaken for Development Contribution funded projects.
Scheme Reference	DCP8—Gracetown

Schedule 10A—Statutory Static Feasibility Assessment Model**Gross realisation**

Net lot yield @ average market value per lot
 “x” lots @ \$Y” per Lot \$ (1)

Less GST @ standard/normal rates

(1) multiplied by GST rate/(100+GST rate) \$ (2)

(1-2) \$ (3)

Less selling, marketing, advertising and settlement fees

@market % multiplied by(1) \$ (4)

Add back Input Tax Credit on selling fees

(4) Multiplied by GST rate/(100+GST rate) \$ (5)

(4-5) \$ (6)

Balance after selling costs etc and Input Tax Credit (3-6) \$ (7)

Less adjusted profit and risk allowance as per SPP3.6

Market determined profit & risk allowance % (8)

Less fixed profit allowance per SPP3.6 10% (9)

Risk rate applied (8-9) = % (10)

EXPLANATION: (10) to be expressed as a whole number eg 15%=15

Ie Risk = (7) multiplied by (10)/100+(10) \$ (11)

Balance after profit and risk factor (7-11) \$ (12)

Less development costs @ “X” lots multiplied by “\$Z” per lot \$ (13)

Add back Input Tax Credit on (13)

(13) Multiplied by GST rate/(100+GST rate) \$ (14)

Develop cost after Input Tax Credit (13-14) \$ (15)

Add interest on net development costs (15)

For ½ development and ½ selling term

@ Applicable market rates

(15) Multiplied by % rate \$ (16)

(15+16) \$ (17)

Balance after deduction of development costs 7 interest (12-17) \$ (18)

Less interest on land value, rates and taxes and stamp duty

Assessed over ½ development and ½ selling term

@ applicable market rates

(18) Multiplied by (%rate/100+%rate) \$ (19)

Balance after interest on land (18-19) \$ (20)

Less rates and taxes \$ (21)

Balance after rates and taxes (20-21) \$ (22)

Less Stamp Duty @ current statutory rates

(22) Multiplied by stamp duty rate/(100+stamp duty rate) \$ (23)

Residual Land Value prior to GST consideration (22-23) \$ (24)

Add GST (24)+GST at prevailing statutory rate \$ (25)

Assessed Statutory Contribution Per SPP3.6 (22+23)

\$

The Static Feasibility Model is based upon—

- i. The number of lots yielded from the land will have a gross sale price which, when multiplied by the number of lots created, establishes the Gross realisation (i).
- ii. GST will be calculated by the standard/normal method.
- iii. Selling, marketing, advertising and settlement fees expressed as a percentage shall be added and then expressed as a total percentage against the gross realisation.
- iv. The adjusted risk component applied in the model is the established market profit and risk at the date of valuation less the fixed 10 % profit applied in SPP3.6.
- v. Development costs will be established as an appropriate servicing cost per lot at the date of valuation, multiplied by the lots realised from the land.
- vi. Interest against the development costs will be established by the application of bank lending rates for such projects at the date of valuation
- vii. Interest against the land in the development will be established by the application of bank lending rates for such development acquisitions at the date of valuation
- viii. Rates and taxes will be applied for a full term of acquisition, development and sale.
- ix. Stamp Duty will be applied at the statutory rate as applicable at the date of valuation.
- x. GST will be applied at the appropriate rate adopted at the date of valuation.

Adoption**Council Resolution to Advertise Local Planning Scheme**

Adopted by resolution of the Council of the Shire of Augusta Margaret River at the Ordinary Meeting of Council held on the 26 August 2020.

President

Signed: J JEAN-RICE

Chief Executive Officer

Signed: A SELVEY

Council Resolution to Support Scheme for Approval

Council resolved to support approval of the draft Scheme of Shire of Augusta Margaret River at the Special Meeting of Council held on the 20 November 2024.

The Common Seal of the Shire of Augusta Margaret River was hereunto affixed by authority of resolution of the Council in the presence of—

President

Signed: J JEAN-RICE

Chief Executive Officer

Signed: A SELVEY

WAPC Recommended for Approval

Delegated under section 16 of the *Planning and Development Act 2005*.

Signed: M HUGHES Date: 8 July 2026

Approval Granted**Minister for Planning**

Signed: J CAREY Date: 5/8/2026
